

**HIGH COURT OF CHHATTISGARH AT BILASPUR****CRMP No. 382 of 2026****SAURABH PRATAP SINGH *versus* SMT. PRIYANKA SINGH****Order Sheet**

05/02/2026	Mr. Achyut Tiwari, counsel for the applicant. Heard on I.A. No. 01/2026, application for grant of stay/interim relief. The applicant has preferred this petition challenging the impugned order dated 26.11.2025 passed by the learned JMFC, Bilaspur in unregistered Case of 2023, whereby the learned Court, applying the provisions of the BNSS, 2023, directed the applicant to deposit process fee and ordered issuance of notice to the respondents prior to registration of the case. Learned counsel for the applicant submits that the applicant's complaint was instituted on 01.03.2023, and in view of Section 531(2)(a) of BNSS, 2023, the proceedings are required to be governed strictly by the provisions of the Cr.P.C. 1973. The application of Section 223 of BNSS at this stage is ex facie illegal and without jurisdiction. He further submits that under Section 200 of Cr.P.C. there is no provision for issuance of notice or hearing of the proposed accused prior to



taking cognizance or issuance of process. The impugned order, if allowed to operate, would result in serious procedural illegality and cause irreparable prejudice to the applicant. As such, interim relief may be granted.

Issue notice to the respondents on payment of PF as per rules.

List this case in the week commencing **16th March, 2026.**

Meanwhile, the proceedings of the concerned trial Court with regard to the matter shall remain stayed till the next date of hearing.

Sd/-
(Sanjay Kumar Jaiswal)
Judge