



HIGH COURT OF CHHATTISGARH AT BILASPUR

WPCR No. 81 of 2025

1 - Dr. Urvashi Phuljhale D/o Dr. Kailash Nath Phuljhale, Aged About 40 Years
R/o House No. 5b, Street-1 Sector-9 Bhilai, District Durg (C.G.).

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through The Secretary, Ministry Of Home Secretariat,
Capital Complex, Mahanadi Bhawan, Nawa Raipur, District Raipur (C.G.).

2 - Police Station Dindayal Nagar, Through The Station House Officer, Raipur
(C.G.).

3 - Smt. Vinia Jha W/o Shri Mukesh Jha, Aged About 32 Years R/o Near
Yogmaya Temple Lailashpuri, Tikrapara, Raipur (C.G.).

... Respondent(s)

Order on Board

06/02/2025	Heard Mr. B. P. Sharma, Advocate along with Mr. M.L. Saket, Advocate and Mr. Sameer Oraon, learned counsel for the petitioner as well as Mr. Sangharsh Pandey, Govt. Advocate, appearing for the State/ respondent. on I.A No. 01 of 2025, application for grant of stay/ ad-interim relief. Learned counsel for the petitioner filed this writ petition for quashing the final report No. 7/25 dated 13.01.2025 filed consequent to registration of FIR No. 0462/2023 dated 12.10.2023 for the offence under Section 420 of IPC and Section 4 of the Chhattisgarh State Upcharyagrih Tatha Rogopchar Sambandhi Sthapanaye Anugyapan Adhiniyam, 2010 and also order taking cognizance of offence dated 27.01.2025 passed by the Court of learned Judicial Magistrate, 1st class, Raipur, in Criminal Case No. 685/2025. Learned counsel for the petitioner would submit that the averments contained in the FIR does not comes under the purview of offence under Section 420 of IPC but it is purely a civil transaction having the civil consequence but the lesser practice it has been given in the shape to criminality. It was only a contractual dispute between the parties yet the FIR has been registered against the petitioner, therefore, dispute between the parties is running to a medical store, the hospital of the petitioner. The FIR has been lodged on unsubstantiated facts which may

affect the reputation of the petitioner who is qualified medical doctor, therefore, the impugned FIR as well as the final report may be quashed.

Learned state counsel appears and accepts notice on behalf of State, therefore, issuance of notice to it, is dispensed with.

Issue notice to the respondent No. 3 by ordinary post as well as registered post.

Process fee be paid within a week only for respondent No. 3.

Notice be made returnable in four weeks.

Two weeks' time is granted to the learned State counsel as well as respondent No. 3 to file their reply- affidavit and thereafter, two weeks' time is granted to the learned counsel for the petitioner to file rejoinder.

List this case thereafter.

Till the next date of hearing, further proceeding in Criminal Case No. 685/2025, which is pending before the learned Judicial Magistrate 1st Class, Raipur shall remain stayed.

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice