



2026:CGHC:18100-DB

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPCR No. 81 of 2025

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. Vinita Jha W/o Shri Mukesh Jha, Aged About 32 Years R/o Near Yogmaya Temple Kailashpuri, Tikrapara, Raipur (C.G.).

--- **Respondent(s)**

For Petitioner(s)	: Mr. B.P.Sharma, Advocate.
For Respondents No. 1 and 2/State	: Mr. Nitansh Jaiswal, Deputy Government Advocate.
For Respondent No. 3	: Mr. Manoj Paranjpe, Senior Advocate with Mr. Anshul Tiwari and Mr. Aditya Dhar, Advocates.

WPCR No. 120 of 2025

Dr. Pravin Rustam Rao Borde S/o Rustam Rao Borde Aged About 40 Years R/o Flat No.-202, 2nd Floor, Mahalaxmi Apartment, Beed Bypass, Aurangabad (M.H.)

---**Petitioner(s)**

Versus

1 - State Of Chhattisgarh Through - The Officer In Charge, Police Station Dindayal Nagar, Raipur, District - Raipur (C.G.)

2 - Vinita Jha W/o Mukesh Jha Aged About 32 Years R/o Kailashpuri, Near Yogmata Mandir, Tikrapara, Raipur, Tahsil And District - Raipur (C.G.)

3 - Mukesh Jha S/o Ayodhya Datt Jha Aged About 43 Years R/o Kailashpuri, Near Yogmata Mandir, Tikrapara, Raipur, Tahsil And District - Raipur (C.G.)

4 - Ashish Tiwari S/o Madan Mohan Tiwari Aged About 43 Years R/o Sector-10, Civic Center, Bhilai, District - Durg (C.G.)

--- **Respondent(s)**

For Petitioner(s)	:	Mr. Rajeev Shrivastava, Senior Advocate assisted by Mr. Akhand Pratap and Mr. Niraj Baghel, Advocates.
For Respondent/State		Mr. Nitansh Jaiswal, Deputy Government Advocate.
For Respondent No. 2 to 4	:	Mr. Manoj Paranjpe, Senior Advocate with Mr. Anshul Tiwari and Mr. Aditya Dhar, Advocates.

Hon'ble Shri Ramesh Sinha, Chief Justice

Hon'ble Shri Ravindra Kumar Agrawal, Judge

Order on Board

Per Ramesh Sinha, Chief Justice

21/04/2026

1. Heard Mr. Rajeev Shrivastava, learned Senior Advocate, Mr. B.P.Sharma, Mr. Akhand Pratap, Mr. Niraj Baghel, learned counsel appearing for the petitioners as well as Mr. Nitansh Jaiswal, learned Deputy Government Advocate for the State as well as Mr. Manoj Paranjpe, learned Senior Advocate assisted by Mr. Anshul Tiwari and Mr. Aditya Dhar, learned counsel for the private respondents.
2. Since the facts and issues involved in both the above writ petitions are common, they are being considered and disposed of by this common order.
3. In WPCr No. 81/2025, the petitioner has prayed for the following relief(s):

“a. A writ and/or an order in the nature of mandamus do issue calling for records pertaining to case of petitioner from the Court concerned for perusal of this Hon'ble Court, if deem fit.

b. A writ and/or an order in the nature of appropriate writ do issue quashing the Final Report No. 7/25, dated 13.1.2025 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 Upcharyagriha Tatha Rogopchar Sambandhi Sthapnaye Anugyapan Adhiniyam, 2010 and also order taking cognizance by the Court of learned Judicial Magistrate 1st Class, Raipur, in Criminal Case No. 685/2025 being in utter violation of petitioner's fundamental, constitutional rights and also amounting to abuse of process of Court and abuse of process of law and liable to be nipped at the bud in the peculiar factual matrix of the case and in the interest of justice.

c. Cost of the proceedings.

d. Any other writs or directions that may be deemed fit and just in the facts and circumstances of the case."

4. In WPCr No. 120/2025, the petitioner has prayed for the following relief(s):

"10.1 A writ and/or an order in the nature of mandamus do issue calling for records pertaining to case of petitioner from the Court concerned for perusal of this Hon'ble Court, if deem fit.

10.2 A writ and/or an order in the nature of appropriate writ do issue quashing the Final Report No.7/25 dated 13.1.2025 consequent to registration of filed FIR No.0462/2023 dated 12.10.2023 for the offence under Section 420 of IPC and Section 40f the Chhattisgarh State Upcharyagriha Tatha Rogopchar Sambandhi Sthapanaye Anugyapan Adhiniyam, 2010 and also order taking cognizance of offence dated 27.1.2025 passed by the Court of learned Judicial Magistrate 1st Class, Raipur, In Criminal Case No.685/2025 being in utter violation of petitioner's fundamental, constitutional rights and also amounting to abuse of process of court and abuse of process of law and liable to be nipped at the bud in the peculiar factual matrix of the case and in the interest of justice

10.3 Cost of the proceedings.

10.4 Any other writs or directions that may be deemed fit and just in the facts & circumstances of case.”

5. The facts, in brief, as projected by the petitioners are that a written complaint was made by the private respondents i.e. Mukesh Jha, Ashish Tiwari, and Smt. Vinita Jha, to the Senior Superintendent of Police, Raipur as well as Station House Officer, Police Station, DD Nagar, Raipur on 06.07.2022. Pursuant to the same, an FIR bearing Crime No. 0462/2023 for the offence under Section 420 of Indian Penal Code (*for short, the IPC*) and Section 4 of the Chhattisgarh State Upcharyagriha Tatha Rogopchar Sambandhi Sthapanaye Anugyapan Adhiniyam, 2010 (*for short 'the Adhiniyam, 2010'*) in respect of alleged incident taken place between 2.2.2021 and 12.10.2023, was registered.
6. The allegations levelled against the petitioners by the private respondents in the complaint was that the private respondents came to know in the year 2020 that a new hospital is going to be opened at Mahadev Ghat, Raipura, by name New Raipura Hospital and the said hospital requires eligible persons for opening a medical store in the said hospital. The private respondents intended to open a medical shop and they were having a qualified pharmacist also. Hence, they contacted Dinesh Giri Goswami who told them that he is Doctor in Medicine and also that Dr. Pravin Rustam Rao Borde and Dr. Urvashi Phuljhale are associated with the said hospital and they have the licence to run the hospital from the Department of Health. The private respondents expressed their willingness to open a medical store in the said hospital for which a meeting between Dr. Dinesh Giri Goswami, Dr. Pravin Rustam Rao Borde and Smt. Urvashi Phuljhale and the private respondents was held on various occasions. It was informed to the

private respondents that the said hospital would be a 50 bedded hospital and every month, there would be a sale of Rs. 30,00,000/- worth of medicine and they would be earning a profit of minimum Rs. 10,00,000/- per month. The petitioners herein lured the private respondents that if they intend to open medical shop, they will have to deposit Rs.45,00,000/- and the hospital would start functioning September. The private respondents deposited a sum of Rs.5 Lacs on 28.08.2020, Rs.10 lacs on 16.09.2020, Rs.5 Lacs on 17.09.2020 and Rs.3 Lacs on 17.10.2020 with the petitioners. In this manner, a total of Rs.23 Lacs was deposited by the private respondents with the petitioners. However, the Hospital was opened lately in the month of November, 2020. After opening of the medical shop, the private respondents came to know that the said hospital was not a 50 bedded hospital but only 9 bedded hospital and as such, the private respondents were cheated. Despite getting the security amount of Rs.23 Lacs, the petitioners demanded and pressurized for payment of a further sum of Rs. 22 Lacs. Later, a registered agreement was entered into between the parties on 01.02.2021. When the private respondents demanded the licence for running of the hospital from the petitioners, the petitioners firstly tried to evade and later only gave the a copy of the receipt of the documents submitted by them for obtaining the licence but not the copy of the licence. At that point of time, the respondents came to know that the petitioners did not had the requisite licence for running the hospital. According to the private respondents, the petitioners misbehaved with them and the medicines which were being sold their medical store, the money was not being given to the private respondents and thus, the private respondents were cheated by the petitioners by luring them to get good incentive and profit from the Hospital but in fact they have been put

to loss.

7. Mr. Rajeev Shrivastava, learned Senior Advocate appearing for the petitioner-Dr. Pravin Rustam Rao Borde and Mr. B.P.Sharma, learned counsel appearing for the petitioner-Dr. Urvashi Phuljhale, submit that bare perusal of the written report will make it clear that certain financial transactions have taken place in respect of operation of medical store of the Hospital known as New Raipur Hospital, Raipur. It has been said that not only the hospital has been opened but also complainant has been allowed to run medical store in the said hospital for considerable period and the complainant has earned profit by running medical shop in the said hospital as the agreement entered into with the hospital authorities and not with the petitioners that in respect of sale of medicines and instruments from medical shop, there will be profit distribution among the person running the hospital and the person running medical shop in the ratio of 60:40 respectively. It has also been said that although under the Ayushman Scheme of the Government, amount of medicine has been obtained by the Hospital directly but the amount of medicines has not been paid which has come around Rs.60 Lakhs, as on April, 2022. It is further the allegation of the private respondents that when they demanded the amount, she has been threatened of involving her in criminal case and also filthy language has been used against the complainant and her agents. They would draw the attention of this Court to the statements of Dinesh Giri Goswami and Praveen Rustom Borde recorded by the police agency to the effect that ratio of profit to be adjusted between them in the ratio of 40:60 and the complaint has been filed as there was dispute relating to accounts. Thus, except in the statement of complainant or her agents, nowhere the petitioners name has come in the record which make her liable for

prosecution of any offence much less for the offence under Section 420 of IPC and Section 4 of the Adhiniyam, 2010. Since on the basis of statements recorded and documents placed on record by the complainant and her witnesses, the Police authorities were not certain that any offence much less the offence under Section 420 of IPC and Section 4 of the Adhiniyam, 2010 has been made out, therefore, an opinion was sought from the Deputy Director, Prosecution, by the City Superintendent Police of Police Station DD Nagar, Raipur as to for commission of which offence the investigation should proceed further. In this regard a copy of letter dated 29.9.2023 of the Deputy Director (Prosecution) forming part of the charge sheet is relevant in which although hesitatingly the Assistant Prosecution Officer has stated about the offence under Section 420 of IPC, but in categorical terms stated that his opinion is not binding on the police authorities, and for registration of offence and for further proceedings, the police authorities are free to take the decision in their absolute discretion.

8. Learned counsel for the petitioners submit that Mr. Dinesh Giri Goswami i.e. accused No. 1 in the impugned FIR, met and disclosed that he is a local general medical practitioner and he has online registration under Nursing Home Act acknowledgment with him i.e. temporary registration of New Raipura Hospital, Raipur and temporary registration ID (Login ID) TRAIP56126 dated 23.01.2017 and further permanent registration ID process is in progress and now he wants to start a Multispecialty Hospital at Mahadeo Ghat Road, Raipur. Therefore, he is in need of specialist doctor. The petitioner-Dr. Pravin Rustam Rao Borde, considering the need and request of Dinesh Giri Goswami, discussed the terms and conditions of the work and salary and thereafter Dinesh Giri Goswami also gave an offer to become partner in the above said

Multispecialty Hospital. Thereafter, the petitioner disclosed that, her wife is also a Pathologist. In the meantime, Dinesh Giri Goswami offered separate premises for lab and also proposed to make her partner in Multispecialty Hospital. It was initially agreed by both the parties that Dinesh Goswami will invest 51% and petitioner along with his wife will invest, as a partner, of 49% share. Believing the words of the Dinesh Giri Goswami, the petitioner and his wife formed a private limited company named and styled as M/s Shivansh Borde Pvt. Ltd. Act having CIN No. under the U8532OCT2020PTCO10566 and thereafter M/s Shivansh Companies Borde Pvt. Ltd. and Dinesh Goswami meanwhile started M/s New Raipura Hospital at Mahadeo Ghat Road, Raipur. The petitioner, believing the words of the Dinesh Giri Goswami that he has temporary license and requisite permission from competent authority in respect of starting new hospital, started his works as doctor in the M/s New Raipura Hospital, Raipur from 02.11.2020. Thereafter, Dinesh Giri Goswami in the month of November 2020 disclosed that he has already offered to respondents No. 2 & 3 for the purpose to start medical shop in the premises of M/s New Raipura Hospital and to that effect Goswami disclosed that, it is necessary to meet with respondents No. 2 & 3 for the purpose to decide the terms and condition of the agreement. Therefore, considering the direction of Dinesh Giri Goswami one meeting was held in M/s New Raipura Hospital, Raipur. Thereafter Dinesh Giri Goswami prepared partnership firm i.e. M/s New Raipura Hospital and to that effect executed Deed of Partnership on 26.11.2020 at Bhilai and at the first instance Dinesh Giri Goswami handed over a copy of online registration Under Nursing Home Act Acknowledgment to the petitioner as a temporary Registration of M/s New Raipura Hospital, Raipur. In fact, thereafter Dinesh Giri Goswami told the petitioner that, he has met

with Vinita Jha and also discuss the terms and conditions in respect of business of Medical Shop and also settled the draft of agreement and he has given oral permission to Vinita Jha to start Medical Shop and business in the premises of New Raipura Hospital, Raipur in the name of Ishan sale, because Vinita Jha told to the Dinesh Giri Goswami that she has obtained all necessary license and permissions from competent authority to start medical shop. On the oral promise and permission of Dinesh Giri Goswami, the relatives of Vinita Jha transferred only Rs.23,00,000/- out of Rs.45,00,000/- in the bank account of New Raipura Hospital, Raipur and prior to transferring the amount made a specific condition that the petitioner and his partner firstly will hand over blank Cheques of Post Dated to Vinita Jha. Subsequently, the petitioner and Dinesh Giri Goswami handed over total 5 cheques (2 cheques by Dinesh Giri Goswami and 3 cheques by the petitioner-Dr. Pravin Rustam Rao Borde) as a security to Vinita Jha. According to Shrivastava, Dinesh Giri Goswami has discussed and settled the terms and conditions of agreement with Vineeta Jha. The petitioner again believing the words of Dinesh Giri Goswami who has already executed partnership deed with the petitioner and therefore considering the direction of Dinesh Giri Goswami who has already prepared one "Ikrarnama" with Vinita Jha and thereafter as per direction of Dinesh Giri Goswami, petitioner and his wife made signature on said Ikrarnama" and the said "Ikrarnama" was registered on 01.02.2021 in the office of Sub Registrar Office Raipur. After the execution of the said agreement it is expected as per terms and conditions of the agreement and assurance given by Vinita Jha to deposit remaining amount of Rs. 22,00,000/- in the bank of account of New Raipura Hospital by Vinita Jha, but in the month of February 2021, Dinesh Giri Goswami and petitioner came to known that,

the Vinita Jha is now not in a mood to deposit the balance amount of Rs.22,00,000/- Therefore, Dinesh Giri Goswami and petitioner conducted meetings with Vinita Jha and other persons as per directions of Vinita Jha and requested her to deposit balance amount of Rs.22,00,000/- as per registered agreement but she was not in mood to deposit the remaining amount of Rs. 22,00,000/- and she gave evasive replies to petitioner and Dinesh Giri Goswami. The complainant-Vinita Jha did not deposit the balance amount of Rs.22,00,000/- as per above mentioned registered agreement in the bank account of New Raipura Hospital, and she was not even ready to disclose the purchase and sale of medicines of the medical store at New Raipura Hospital. She also did not give GST details to the petitioner and Dinesh Giri Goswami as per decided in number of meetings by Vinita Jha and other persons. Thus, Vinita Jha along with her relatives created a dispute with petitioner and Dinesh Giri Goswami as commercial transactions of medicines were not disclosed with them. Due to second wave of wide spread pandemic Covid-19 period i.e. from month of March to June 2021, the entire New Raipura Hospital was continuously functioning and medical store run by complainants was still open. Vinita Jha even after number of request neither deposited balance amount of Rs. 22,00,000/- nor provide any details of purchase and sale and GST after starting medical shop i.e. Ishan Sales, till this date. Due to personal family problem of the petitioner, in the month of July 2022, he was not in position to reside in Raipur and therefore in compelling circumstances he decided to left the work and business of New Raipura Hospital. Therefore, petitioner communicated the above said fact to Dinesh Giri Goswami. Thereafter petitioner, personally on 01.08.2022, on letter head of New Raipura Hospital in writing relinquished all his responsibility. Consequently, entire

responsibility was rested upon Dinesh Giri Goswami. The said original letter was also submitted in the office of Bank of Baroda, branch Sundar Nagar, Raipur. The petitioner told Vinita Jha about above mentioned fact that he is leaving Raipur and he will also relinquish all his responsibility of the New Raipura Hospital. Vinita Jha asked to sent all the facts through e-mail to Ashish Tiwari and Mukesh Jha. Thus, the petitioner sent mail to Ashish Tiwari and Mukesh Jha. Considering the above said assurance even Vineeta Jha from July 2022 to September 2022 after number oral request made by the Dinesh Giri Goswami and petitioner neither deposited balance amount of Rs.22,00,000/- nor given any details of purchase, sale and GST and also not given regular profit of 40% amount of profit to the petitioner and Dinesh Giri Goswami. Vinita Jha with ill intention and ulterior motive started falsely alleging on technical grounds for the purpose to avoid to deposit the said balance of Rs.22,00,000/- and details of purchase and sale, GST and balance 40% amount of profit and arrears of 40% amount of profit. Vineeta Jha also filed a Civil Suit being No. 30-B/2022 for recovery of an amount of Rs. 74,44,223/- before learned District Court Raipur which is pending consideration. The other offence for which petitioner is charge sheeted is of Section 4 of the Adhinyam, 2010 and the documents filed by the prosecution itself suggest that on 31.8.2021 license has been issued to New Raipur Hospital, Mahadev Ghat Road, Raipura. Thus, it is clear that on making application at a prior point of time, copy of which has been supplied to the complainant, the registration of Hospital with the State authorities has taken place and license has been granted under Section 3 of the Adhinyam, 2010 and there is no question of being unsuccessful in obtaining license. Therefore, the offence under Section 4 of the Adhinyam, 2010 also cannot be held to be made which deals with

penalty for failure to obtain license.

9. Learned counsel appearing for the petitioners submit that the sole intention of the complainant and her associates was to recover the amount paid under the agreement and of obtaining ratio of profit which is to be recovered or not paid by the hospital and regarding which the witnesses themselves have stated that due to alleged irregularity in financial transactions in between March-April 2021 to June 2022 or non-payment of amount allegedly due and for not supply of statement of accounts by the persons concerned, the disputes have arisen which ought not to have been given a criminal shape particularly when the remedy of filing civil suit is available to the complainant at the time of initiation of criminal proceeding. No ingredient of Section 420 of the IPC is made out in this case. In support of their contentions, learned counsel for the petitioners place reliance on the decision of the Apex Court in ***State of Haryana v. Bhajanlal*** {1992 Suppl (1) SCC 395} and submit that these petitions be allowed.
10. On the other hand, Mr. Nitansh Jaiswal, learned State counsel submits that the complaint made by the private respondents was duly investigated by the police and after completion of the investigation, charge sheet has been filed and the learned trial Court i.e. Judicial Magistrate First Class, Raipur, has also taken cognizance of the matter and the matter is pending consideration.
11. Mr. Manoj Paranjpe, learned Senior Advocate appearing for the private respondents submit that they were lured by the petitioners with lucrative benefits for opening a medical store in the Hospital owned and run by the petitioners for which a heavy amount of Rs. 23 Lacs was got deposited by the petitioners. However, neither the private respondents received any returns as assured and on the contrary, the petitioners were not

having even the licence to run the hospital as such, they have been cheated for which the police has rightly registered the FIR and proceeded against them by filing the charge sheet and the learned trial Court has rightly taken cognizance of the matter. As such, these petitions deserve to be dismissed.

12.We have heard learned counsel for the parties, perused the pleadings and documents appended thereto.

13.From perusal of the pleadings and materials available on record, it transpires that an agreement was entered into between the petitioners and the private respondents with regard to opening of a medical store in the Hospital for which certain deposits were made by the private respondents with the petitioners. After sometime, it appears that dispute has arisen between the parties with regard to sharing of the profit and running of the medical store for which the private respondents have also filed a civil suit being Civil Suit No. 30-B/2022. The entire dispute between the parties appear to be civil in nature and when the expected profit could not be earned, the same has given rise to the present case.

14.One of the accused namely Dinesh Giri Goswami is reported to have expired on 09.12.2022.

15.The legal position on the issue of quashing of criminal proceedings is well-settled that the jurisdiction to quash a complaint, FIR or a charge-sheet should be exercised sparingly and only in exceptional cases and Courts should not ordinarily interfere with the investigations of cognizable offences. However, where the allegations made in the FIR or the complaint even if taken at their face value and accepted in their entirety do not prima facie constitute any offence or make out a case against the accused, the FIR or the charge-sheet may be quashed in

exercise of powers under Article 226 or inherent powers under Section 482 of the Cr.P.C.

16. In **Ram Jas v. State of Uttar Pradesh** {(1970) 2 SCC 740}, the Supreme Court has observed at paragraph 3 as under:

“3.....Cheating is defined in section 415, I.P.C which is as follows "Whoever, by deceiving- any person, fraudulently or dishonestly induces the person so deceived to deliver any property to any person, or to consent that any person shall retain any property, or intentionally induces, the person so deceived to do or omit to do anything which he would not do or omit if he were not so deceived, and which act or omission causes or is likely to cause damage or harm to that person in body, mind, reputation or property, is said to "cheat".

The ingredients required to constitute the offence of cheating are-

(i) there should be fraudulent or dishonest inducement of a person by deceiving him;

(ii) (a) The person so deceived should be induced to deliver any property to any person, or to consent that any person shall retain any property; or

(b) the person so deceived should be intentionally induced to do or omit to do anything which he would not do or omit if he were not so deceived; and

(iii) In cases covered by (ii) (b), the act or omission should be one which causes or is likely to cause damage or harm to the person induced in body, mind, reputation or property.”

17. In the well celebrated judgment reported in AIR 1992 SC 605 **State of Haryana and others v. Ch. Bhajan Lal**, the Apex Court held that those guidelines should be exercised sparingly and that too in the rarest of rare cases. Guidelines are as follows:

“(1) Where the allegations made in the First Information Report or the complaint, even if they are

taken at their face value and accepted in their entirety to do not prima facie constitute any offence or make out a case against the accused.

(2) Where the allegations in the First Information Report and other materials, if any, accompanying the FIR do not disclose a cognizable offence, justifying an investigation by police officers under Section 156(1) of the Code except under an order of a Magistrate within the purview of Section 156(2) of the Code.

(3) Where the uncontroverted allegations made in the FIR or complaint and the evidence collected in support of the same do not disclose the commission of any offence and make out a case against the accused.

(4) Where, the allegations in the FIR do not constitute a cognizable offence but constitute only a non-cognizable offence, no investigation is permitted by a police officer without an order of a Magistrate as contemplated under Section 155(2) of the Code.

(5) Where the allegations made in the FIR or complaint are so absurd and inherently improbable on the basis of which no prudent person can ever reach a just conclusion that there is sufficient ground for proceeding against the accused.

(6) Where there is an express legal bar engrafted in any of the provisions of the Code or the concerned Act (under which a criminal proceeding is instituted) to the institution and continuance of the proceedings and/or where there is a specific provision in the Code or the concerned Act, providing efficacious redress for the grievance of the aggrieved party.

(7) Where a criminal proceeding is manifestly attended with mala fide and/or where the proceeding is maliciously instituted with an ulterior motive for wreaking vengeance on the accused and with a view to spite him due to private and personal grudge."

18.In the matter of **Sarabjit v. State of Punjab**, {(2023) 5 SCC 360}, it has been observed by the Apex Court that a breach of contract does not give rise to a criminal prosecution for cheating unless fraudulent or dishonest intention is shown right at the beginning of the transaction. Merely on the

allegation of failure to keep up promise will not be enough to initiate criminal proceedings.

19.From perusal of the FIR in question, we do not find that the dispute between the parties is of civil nature and related to agreement entered into between them which can be very well decided by the competent jurisdictional Civil Court for which the private respondents have already filed a civil suit and as such, the registration of the FIR and the consequential criminal proceedings does not appear to be justified.

20.In view of the above discussion, the FIR bearing Crime No. 0462/2023, dated 12.10.2023, the final report No. 7/2025 dated 13.01.2025, filed by the Police of Police Station, Deendayal Nagar, Raipur, for the offences under Section 420 of the IPC and Section 4 of the Chhattisgarh Rajya Upcharya Grih Tatha Rogopchar Sambandhi Sthapnayein Anugyapan Adhiniyam, 2010, the order dated 27.01.2025 passed by the learned Judicial Magistrate First Class, Raipur, in Criminal Case No. 685/2025 and the consequential proceedings, so far it relates to the petitioners, are quashed.

21.Resultantly, both these petitions are **allowed**. No order as to costs.

Sd/-
(Ravindra Kumar Agrawal)
JUDGE

Sd/-
(Ramesh Sinha)
CHIEF JUSTICE