



2026:CGHC:9932-DB

1



2026:CGHC:9932-DB

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPCR No. 114 of 2026

Virendra Kumar Ware S/o Late Shyam Lal Ware Aged About 63 Years R/o-
Mig-1/33, Near Nagar Nigam Water Tank, Behind Vindhya Public School,
Kabir Nagar, Raipur, Chhattisgarh, P.O.- 492001

... Petitioner

versus

1 - State Of Chhattisgarh Through Station House Officer, Police Station Dadhi,
District Bemetara, Chhattisgarh, P.O.- 491335

2 - M/s Shakuntala Markandey W/o Dhruv Markandey R/o- Gram Surki, Tehsil
Dadhi, District Bemetara, Chhattisgarh, P.O.- 491335

... Respondents

(Cause Title taken from Case Information System)

For Petitioner	:	Mr. Praveen Ware, Advocate (through virtual mode)
For Respondent/State	:	Mr. Shaleen Singh Baghel, Govt. Advocate

Hon'ble Shri Ramesh Sinha, Chief Justice
Hon'ble Shri Ravindra Kumar Agrawal, Judge

Order on Board

Per Ramesh Sinha, Chief Justice

26/02/2026

1. The present Writ Petition (Criminal) is being preferred under Article 226



of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking issuance of an appropriate writ, order or direction for quashing of FIR No. 0169/2024 dated 17.11.2024, registered under Sections 296 and 351(3) of the Bharatiya Nyaya Sanhita, 2023 at Police Station Dadhi, District Bemetara, and all consequential proceedings arising therefrom qua the petitioner.

The petitioner submits that the impugned FIR is manifestly arbitrary, suffers from material discrepancies and unexplained delay, and has been lodged as a counterblast to an earlier FIR No. 0168/2024 registered at the instance of the petitioner. It is further submitted that the earlier proceedings before this Hon'ble Court were not adjudicated on merits and the criminal revision preferred against the order framing charge was dismissed only on account of the limited scope of revisional jurisdiction; thus, no statutory embargo operates against invocation of the extraordinary writ jurisdiction of this Hon'ble Court to prevent abuse of process and secure the ends of justice.

2. The petitioner has filed the present petition seeking for the following reliefs:-

“10.1 That this Hon'ble Court may kindly be pleased to allow the present Writ Petition.

10.2 That this Hon'ble Court may kindly be pleased to quash the Chargesheet dated 02.03.2025 and set aside the consequential criminal proceedings in Criminal Case No.



1851/2025 arising out of the FIR No. 0169/2024 registered u/s 296 & 351(3) of the BNS, 2023 dated 17.11.2024 registered at Police Station Dadhi and all consequential proceedings emanating therefore qua the petitioner.

10.3 Pass any other Order or further Order (s) as this Hon'ble Court may deem fit in the interest of justice.”

3. On a pointed query being put to learned counsel for the petitioner as to why the order taking cognizance dated 17.06.2025 has not been assailed in the present proceedings, it is fairly submitted that the petitioner, being aggrieved by the said order, had earlier preferred Criminal Revision No. 62 of 2025 before the learned 2nd Additional Sessions Judge, Bemetara, which came to be dismissed vide order dated 27.11.2025, a copy whereof has been annexed as Annexure P/3. Admittedly, the said revisional order has not been challenged in the present writ petition and the petitioner has directly sought to assail the charge-sheet without questioning either the order taking cognizance or the order passed in revision affirming the same.
4. In view of the aforesaid, this Court is of the considered opinion that the prayer as framed is defective and legally unsustainable.
5. Accordingly, the present petition stands **dismissed** with liberty to the petitioner to file a fresh petition in accordance with law challenging the appropriate order, subject to depositing a sum of Rs. 5000/- as cost by



the petitioner in the Registry of this Court within a period of one week from today and the said amount shall be transmitted to the Government Home for Mentally Underdeveloped Children, Mana Camp, District Raipur (C.G.).

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice

ved