



HIGH COURT OF CHHATTISGARH AT BILASPUR

CRMP No. 566 of 2026

1 - Faizan Ahmad S/o Md. Idrish Ansari, Aged About 41 Years R/o Sadar Road Ambikapur, District Sarguja C.G.

2 - Saroj Ahmad S/o Late Iliyas, Aged About 57 Years R/o Sadar Road Ambikapur, District Sarguja C.G.

3 - Numan Ahmad S/o Md. Idrish Ansari, Aged About 36 Years R/o Sadar Road Ambikapur, District Sarguja C.G.

... Petitioners

versus

1 - State of Chhattisgarh Through Station House Officer, Police Station Kotwali, Ambikapur, District Sarguja (C.G.)

2 - Saddam Khan S/o Late Kasim Khan, R/o Mominpura, Ambikapur, District Sarguja C.G.....(Complainant)

... Respondents

Order - Sheet

26/02/2026	Heard Mr. Apoorv Tripathi, learned counsel for the petitioners as well as Mr. Nitansh Jaiswal, learned Deputy Government Advocate, appearing for the State/respondent No.1 on I.A. No. 01 of 2026, which is an application for grant of interim relief.
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ROHIT
KUMAR
CHANDRA
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by ROHIT
KUMAR
CHANDRA

	Learned counsel for the petitioners submitted that even if the entire contents of the complaint/FIR are read as they stand and accepted on their face value, no <i>prima facie</i> case is made out against the present petitioners under Sections 191(3), 115(2), 296(B), 351(3) of the Bharatiya Nyaya Sanhita, 2023 and Sections 25 & 27 of the Arms Act, as alleged by Respondent No. 2/complainant. It is further submitted that the allegations are false, misleading and deceptive, as the complainant has no locus standi in respect of the land in question; in fact, the FIR itself records his statement that “Sahil phoned me and called me... saying demarcation is going on,” which clearly reflects that he was neither an aggrieved nor interested party but was called to the spot by someone else, thereby indicating that he acted merely as a proxy for the actual interested parties. It is contended that the dispute is fundamentally civil in nature, relating to land demarcation and right of way, and the matter is already sub judice before the competent Commissioner, who
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has granted a stay order in favour of the petitioners. The lodging of the FIR alleging rioting and assault during demarcation proceedings is, therefore, a deliberate attempt to give a criminal colour to a purely civil dispute and to misuse the police machinery to settle civil scores, which amounts to an abuse of the process of law.

Issue notice to respondent No.2 on payment of PF as per rules. Notice be made returnable within four weeks.

List the matter thereafter.

Till the next date of listing or till submission of Police Report under Section 193(3) of the BNSS, if any, before the competent Court, whichever is earlier, the arrest of petitioners, namely, **Faizan Ahmad, Saroj Ahmad and Numan Ahmad** in pursuance of the impugned FIR dated 23.11.2025 bearing Crime No. 0884 of 2025, registered at Police Station, Ambikapur, District – Sarguja shall remain stayed, of course subject to the restraint that the petitioners shall fully cooperate

with the investigation and shall appear as and when called upon to assist in the investigation.

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice