



2026:CGHC:9920-DB

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRMP No. 599 of 2026

- 1 - Uday Kumar S/o Trilochan, Aged About 58 Years R/o Village Raliya, P.S. Masturi, District Bilaspur C.G.
- 2 - Sonuram Lahre, S/o Bhuklu Lahre, Aged About 50 Years R/o Village Raliya, P.S. Masturi, District Bilaspur C.G.
- 3 - Lalit Kumar, S/o Umend Lal Kurrey, Aged About 38 Years R/o Village Raliya, P.S. Masturi, District Bilaspur C.G.
- 4 - Manjita Arya S/o Baisakhu Lal, Aged About 66 Years R/o Village Raliya, P.S. Masturi, District Bilaspur C.G.
- 5 - Umendlal Kurrey, S/o Late Mithailal, Aged About 60 Years R/o Village Raliya, P.S. Masturi, District Bilaspur C.G.
- 6 - Yash Kumar Ratre, S/o Ratiram Ratre, Aged About 25 Years R/o Village Raliya, P.S. Masturi, District Bilaspur C.G.
- 7 - Rahul @ Shani, S/o Bharat @ Lal Soni, Aged About 50 Years R/o Village Raliya, P.S. Masturi, District Bilaspur C.G.

... **Petitioners**

versus

- 1 - State of Chhattisgarh Through Station House Officer, Police Station Masturi, District Bilaspur C.G.
- 2 - Meher Raj, S/o Late Y.A. Muniraj, R/o Mig 1/58, Maharana Pratap Nagar, Korba, District Korba C.G.

... **Respondents**

For Petitioners : Mr. Ravipal Maheshwari, Advocate

For Respondent : Mr. Sourabh Sahu, Panel Lawyer

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. Heard Mr. Ravipal Maheshwari, learned counsel for the petitioners as well as Mr. Sourabh Sahu, learned Panel Lawyer, appearing for the State/respondent.
2. Defaults pointed out by the Registry stand over ruled.
3. The present petition under Section 528 of Bhartiya Nagarik Suraksha Sanhita has been filed by the petitioners with following prayers :

"1. That, Hon'ble Court may kindly be pleased to allow the instant petition under section 528 of B.N.S. 2023 filed by the petitioners, in the interest of justice.

2. That, Hon'ble Court may kindly be pleased to quash the charge sheet dated 13.05.2025 and FIR bearing No. 112/2025 registered on dated 18.02.2025 at police station Masturi, District Bilaspur Chhattisgarh filed under section 221, 296, 109(2), 121, 132, 191(2) (3), 191(4), 125, 324 (4) of B.N.S. and section 135 A of People's Representation Act, 1951 against the petitioners in the interest of justice.

3. That, Hon'ble Court may kindly be pleased to quash charges dated 18.09.2025 issued by learned 11th Upper Sessions Judge Bilaspur, District Bilaspur Chhattisgarh in S.T. No. 145/2025 in under section 221, 296, 109(2), 121, 132, 191(2) (3), 191(4), 125, 324 (4) of B.N.S. and section 135 A of People's Representation Act, 1951 against the petitioners in the interest of justice.

4. That, Hon'ble Court may kindly be pleased to quash entire criminal proceeding of Sessions Case



No. 145/2025 (wrongly mentioned as Criminal case No. 145/2025) pending before the learned 11th Upper Sessions Judge Bilaspur, District Bilaspur Chhattisgarh against the petitioners, in the interest of justice.

5. That, the Hon'ble Court may kindly grant any other reliefs in favour of the petitioners, which the Hon'ble Court deemed fit & just in the facts and circumstances of the case, in the interest of justice.

4. Case of the prosecution, in brief, is that the complainant / respondent No.2 has made a complaint to the concerned Police Station Masturi, District Bilaspur Chhattisgarh with intend that on 17.02.2025 the accused persons entered in voting Centre No. 160 of village Raliya Govt. Primary School and they have used filthy language and they have assaulted upon the government servant and vehicle by stone and bricks by threatening to commit murder, due to which, vehicle has been damaged. Based upon the such complaint made by the complainant, the concerned police station has registered FIR for commission of offence under section 221, 296, 109(2), 121, 132, 191(2) (3), 191(4), 125, 324 (4) of B.N.S. and section 135 A of People's Representation Act, 1951 against the petitioners and other accused persons. After completion of investigation, the concerned police station has submitted the charge sheet before the learned Judicial Magistrate First Class, Bilaspur from where the case has been referred to learned 11th Upper Sessions Judge, Bilaspur, District Bilaspur Chhattisgarh and case has commenced for trial in Sessions Case No. 145/2025



(wrongly mentioned as Criminal case No. 145/2025) and trial proceeding is pending before the learned 11th Upper Sessions Judge Bilaspur, District Bilaspur Chhattisgarh. Hence this petition is being preferred with the aforementioned prayers.

5. Learned counsel for the petitioners submits that the actions of the respondents are illegal, erroneous, discriminatory, and contrary to law, and that the prosecution has concocted a false and fabricated story to falsely implicate the petitioners. It is contended that the petitioners neither captured any voting box nor snatched any voting material from the Election Officer, and the allegations to that effect are baseless; notably, Petitioner No. 6, Yash Kumar Ratre, son of Ratiram Ratre, is an 80% disabled person and is physically incapable of committing any such act, and his disability certificate has been filed as Annexure P-3. The petitioners had merely gone to cast their votes on 17.02.2025 and returned to their homes at about 9:30 p.m., and no offence as alleged was committed by them. They did not assault the Election Officer with any weapon, and the registration of an offence under Section 109 of the BNS is wholly misconceived and not attracted to the facts of the case. He also contended that the dispute, if any, arose between contesting candidates of the Gram Panchayat election, whereas the petitioners were not contesting parties and have been falsely implicated under the pretext of booth capturing. Some of the petitioners are elderly persons who were not present at the alleged place of occurrence, and no incriminating article



has been seized from any of the petitioners. He also submitted that a bare perusal of the FIR reveals no specific averments disclosing their involvement, and even if the allegations are taken at face value, no offence is made out against them. The charge-sheet has been filed without sufficient material and in absence of any cogent evidence, though the petitioners have played no role in the alleged incident; hence, the impugned FIR as well as the Sessions Case pending before the learned Trial Court are liable to be set aside.

6. On the other hand, learned State counsel opposes this petition and submits that since the charge-sheet has been filed against the petitioners after due investigation and the trial has already been commenced and perusal of the materials on record discloses commission of cognizable offence, as such, no interference is warranted at this stage.
7. We have heard learned counsel for the petitioners and learned State counsel at length. Perused the record, including the impugned FIR and the charge-sheet filed before the learned Trial Court.
8. The principal contention of the petitioners is that the allegations are false, fabricated, and motivated by political rivalry arising out of Gram Panchayat elections, and that no prima facie offence is made out against them. It is further contended that certain petitioners were not present at the place of occurrence, that one of the petitioners is an 80% disabled person, and that the dispute,



if any, is civil in nature. The State, on the other hand, submits that the FIR and the material collected during investigation disclose specific overt acts attributed to the petitioners in connection with interference in the election process, and that the charge-sheet has been filed upon completion of investigation based on witness statements and other material.

9. Upon consideration of the submissions and on a careful perusal of the FIR, this Court finds that the allegations therein clearly disclose the commission of cognizable offences. The FIR contains specific assertions regarding the involvement of the petitioners in the alleged incident during the election process. At this stage, the Court is not required to conduct a meticulous appreciation of evidence or adjudicate upon the veracity or otherwise of the allegations. The pleas raised by the petitioners, including their alleged absence from the spot, age, disability, and political rivalry, are matters of defence which require evidence and can be examined only during trial.
10. It is well settled that the inherent jurisdiction for quashing criminal proceedings is to be exercised sparingly and only when the allegations, even if taken at their face value, do not disclose any offence or where the proceedings are manifestly attended with mala fide. In the present case, the material on record prima facie discloses the ingredients of the offences alleged, and it cannot be said that the prosecution is wholly groundless or an abuse of the process of law.



11. Accordingly, this Court finds no merit in the present petition. The petition is hereby **dismissed**. The petitioners are at liberty to raise all permissible grounds before the learned Trial Court at the appropriate stage in accordance with law.

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice

Chandra