



NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRMP No. 738 of 2025

1 - Harishankar Jharray S/o Parasram Sonkar Aged About 62 Years R/o Basantpur Chowk Rajnandgaon, District Rajnandgaon (C.G.) (Accused)

2 - Daduram Sonkar S/o Parasram Sonkar Aged About 58 Years R/o Lakholi Naka, Chowk In Front Muktidham P.S Basantpur Rajnandgaon, District Rajnandgaon (C.G.) Present Address - Village Mundgaon Police Station Dongargarh District Rajnandgaon (C.G.)

3 - Ganesh Ram Sonkar S/o Late Ram Gulal Sonkar Aged About 58 Years R/o Lakholi Naka, In Front Muktidham P.S Basantpur Rajnandgaon, District Rajnandgaon (C.G.)

4 - Parasram Sonkar S/o Parsadi Sonkar Aged About 85 Years R/o Lakholi Naka, In Front Muktidham P.S Basantpur Rajnandgaon, District Rajnandgaon (C.G.)

... Petitioner(s)

versus

1 - State of Chhattisgarh Through The Police Station Basantpur, District - Rajnandgaon (C.G.)

2 - Indrakumar Adani S/o Baksaram Adani Aged About 54 Years R/o. Lalbagh Sindhi Colony Gali No.12 P.S Basantpur Rajnandgaon, District - Rajnandgaon (C.G.)

... Respondent(s)

27/02/2025	Heard Mr. Aditya Bhardwaj, learned counsel for the petitioners as well as Mr. S.S. Baghel, learned Deputy

Government Advocate, appearing for the State/ respondent No.1 and perused the impugned FIR, charge-sheet as well as order taking cognizance.

Learned counsel for the petitioners submitted that dispute between the parties is purely contractual, arising out of a breach of agreement regarding the sale of land, therefore, invoking criminal proceedings under Sections 420, 120B of IPC is an abuse of process of law as the matter can be resolved through civil adjudication. He further submitted that complainant had previously lodged a similar complaint and after investigation, the SHO declared the matter as a non-cognizable offence. The criminal case appears to have been filed solely to exert under pressure on the petitioners and compel them to execute the sale deed in favor of the complainant, criminal law cannot be used as a tool to settle civil disputes or enforce contracts.

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

Let counter affidavit be filed within a period of two weeks by respondent No.2 after service of notice upon him and is also directed to serve a copy of the same to the learned counsel for the petitioners, who may file rejoinder affidavit, if any, within one week thereafter.

List the matter after eight weeks.

Till then further proceedings in Criminal Case No. 232/2025 pending before the Court of Judicial Magistrate First Class, Rajnandgaon shall remain stayed.

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice