



2026:CGHC:10165-DB

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRMP No. 613 of 2026

1 - Mayank Soni S/o Kishore Soni Aged About 20 Years R/o Ward No. - 25, Jagjeevanram Ward, Dallirajhara, Tahsil- Doundi, District- Balod (C.G.)

2 - Kishor Soni S/o Badrinarayan Aged About 50 Years (Not Mentioned In The Order Sheet), R/o Ward No. - 25, Jagjeevanram Ward, Dallirajhara, Tahsil- Doundi, District- Balod (C.G.)

... Petitioner(s)

versus

1 - State Of Chhattisgarh By Police Station - Dallirajhara, District- Balod (C.G.)

2 - Pankaj Soni S/o Late Shri Tarachand Aged About 28 Years R/o Ward No. 10 Purana Bazar Rajhara Thana Rajhara District- Balod, Chhattisgarh.

... Respondent(s)

For Petitioner(s) : Mr.Jitendra Gupta, Advocate

For Respondent : Mr.Saurabh Sharma, Panel Lawyer

No.1-State

Hon'ble Shri Ramesh Sinha, Chief Justice

Hon'ble Shri Ravindra Kumar Agrawal, Judge

Order on Board



Per Ramesh Sinha, Chief Justice

27.02.2026

1. Heard Mr.Jitendra Gupta, learned counsel for the petitioners as well as Mr.Saurabh Sharma, learned Panel Lawyer appearing for respondent No.1/State.
2. The present petition has been filed by the petitioners seeking following relief(s):

“(A) It is therefore prayed that this Hon'ble Court may kindly be pleased to allow this petition and pleased to quash the registration of F.I.R no. 103/2025 vide F.I.R. dated 16/04/2025 registered by police station Rajhara district Balod chhattisgarh for the offence under section 308(2) of BNS and 4 of chhattisgarh debtors protection act 1937 against the petitioners, Charge sheet no. 146/2025, vide chargesheet dated 14/07/2025 for the offence under section 308(2), 238,3(5) Of BNS and 4 of chhattisgarh debtors protection act 1937 and order of taking cognizance dated 11/08/2025 in charge sheet no. 146/2025 for the offence under section 308(2), 238,3(5) Of BNS and 4 of chhattisgarh debtors protection act 1937, & further criminal proceeding in criminal case no. 1439 of 2025 in state of chhattisgarh versus Mayank soni & 01 other pending before the learned trial court pending before the learned trial court against the present petitioners, in the interest of justice.

(B) Any other relief/ order may also be granted that may be deemed fit and just in the facts and circumstances of the case.”



3. The prosecution case, in brief, is that the Police Station Dallirajhara, District Balod, has registered Crime No. 103/2025 against the present petitioners for the alleged offences. The incident is stated to have occurred during the period from 22.02.2024 to 19.02.2025, and the FIR was registered on 16.04.2025. According to the prosecution, the complainant, Pankaj Soni, submitted a written complaint on 07.03.2024, upon which an inquiry was conducted and, thereafter, the FIR was registered on 16.04.2025. During the course of investigation, it was found that the complainant and petitioner No. 1 were engaged in the business of sale and purchase of gold and silver. It was further revealed that both were involved in online betting through a mobile application.
4. The complainant allegedly borrowed a total amount of Rs. 31,00,000/- from petitioner No. 1 on several occasions after incurring losses in betting. It is alleged that the complainant repaid a total amount of Rs. 45,00,000/- (including interest) through bank transfers and also mortgaged jewellery worth Rs. 37,00,000/- to applicant No. 1. Despite this, the present petitioners allegedly pressured the complainant to pay the remaining amount of Rs. 14,00,000/- and, while abusing him, threatened to disclose his online betting activities to his family members.
5. On the basis of the said investigation, offences under Section 308(2) of the Bharatiya Nyaya Sanhita (BNS) and Section 4 of the



Chhattisgarh Debtors Protection Act, 1937, were registered against the present petitioners vide FIR dated 16.04.2025 at Police Station Dallirajhara, District Balod, Chhattisgarh.

6. Thereafter, upon completion of investigation, the police filed a charge sheet dated 14.07.2025 bearing Charge Sheet No. 146/2025 before the learned Trial Court for the offences under Sections 308(2), 238, and 3(5) of the BNS and Section 4 of the Chhattisgarh Debtors Protection Act, 1937. Subsequently, the learned Trial Court took cognizance of the aforesaid offences vide order dated 11.08.2025 in Criminal Case No. 1439/2025 titled *State of Chhattisgarh v. Mayank Soni & Another*. The matter is presently fixed for framing of charges before the Trial Court. Hence, the present petition.
7. Learned counsel for the petitioners submits that, from a bare perusal of the record, the essential ingredients of the alleged offences are not made out against the present petitioners. It is contended that the petitioners are innocent and have been falsely implicated in the present case. The dispute, if any, is purely personal in nature. The petitioners and the complainant were well acquainted with each other, as both were engaged in the same business. It is further submitted that both parties were running jewellery shops at Dallirajhara and had business dealings with each other. Learned counsel submits that prior to the registration of the FIR dated 16.04.2025, petitioner No. 1 had already lodged



a written complaint on 16.05.2025 against the complainant's brother, Sourabh Soni, alleging that the complainant and his brother had committed fraud upon petitioner No. 1 in order to avoid repayment of Rs. 14,00,000/-.

8. It is also submitted that petitioner No. 1 had earlier submitted a written complaint dated 20.03.2025 to the Station House Officer, Police Station Dallirajhara, and to the Superintendent of Police, Balod. Learned counsel further submits that the complainant, Pankaj Soni, executed a written undertaking on a stamp paper of Rs. 100/-, agreeing to repay an amount of Rs. 10,00,000/- to petitioner No. 1 within a period of two months. Copies of the relevant complaints and documents submitted by petitioner No. 1 have been annexed as **Annexure P/2**. Learned counsel submits that a perusal of the entire charge-sheet filed by the police authorities would reveal that the dispute between the parties is essentially a monetary dispute arising out of business transactions, which has been given a criminal colour. It is further submitted that the present petitioners were granted anticipatory bail by this Court in MCRCA No. 659/2025 (*Mayank Soni & Another v. State of Chhattisgarh & Another*) vide order dated 07/05/2025. A copy of the said order has been annexed as **Annexure P/3**.
9. Lastly, it is submitted that no specific role has been attributed to petitioner No. 2, who is the father of petitioner No. 1. All alleged



transactions were carried out solely by petitioner No. 1. Petitioner No. 2 has been falsely implicated only as a counterblast to the business rivalry and personal dispute between petitioner No. 1 and the complainant. It is, therefore, prayed that this Court may be pleased to quash FIR No. 103/2025 dated 16.04.2025 registered at Police Station Dallirajhara, District Balod, Chhattisgarh, for the offences under Section 308(2) of the BNS and Section 4 of the Chhattisgarh Debtors Protection Act, 1937; further, quash Charge Sheet No. 146/2025 dated 14.07.2025 filed for the offences under Sections 308(2), 238 and 3(5) of the BNS and Section 4 of the Chhattisgarh Debtors Protection Act, 1937, as well as the order of cognizance dated 11.08.2025 passed therein and consequently, quash all further proceedings in Criminal Case No. 1439/2025 (State of Chhattisgarh v. Mayank Soni & Another) pending before the learned Trial Court, in the interest of justice.

10. Per contra, learned Panel Lawyer appearing for the State/respondent No.1 vehemently opposes the submissions advanced by learned counsel for the petitioners and submits that the FIR and the charge sheet disclose the commission of cognizable offences and that a prima facie case is clearly made out against the present petitioners. Learned Panel Lawyer submits that, at this stage, while exercising inherent jurisdiction, this Court is not required to conduct a meticulous examination of the evidence or adjudicate disputed questions of fact. The



allegations made in the FIR and the material collected during investigation specifically attribute overt acts to the petitioners, which constitute offences punishable under the relevant provisions of the BNS and the Chhattisgarh Debtors Protection Act, 1937. It is further submitted that the contention of the petitioners that the dispute is purely civil in nature is misconceived. The investigation has revealed material indicating intimidation, unlawful demand, and other acts which attract criminal liability. Merely because the parties had business dealings does not absolve the petitioners of criminal responsibility when the allegations disclose ingredients of the offences alleged.

11. Learned Panel Lawyer further submits that the charge sheet has already been filed after due investigation and the learned Trial Court has taken cognizance upon being satisfied that sufficient material exists to proceed against the accused persons. The matter is presently at the stage of framing of charges, and the petitioners have an adequate remedy before the Trial Court to raise all permissible objections in accordance with law. With regard to petitioner No. 2, it is submitted that the role of each accused has been examined during investigation and sufficient material has been collected to implicate him. The plea of false implication is a matter of defence, which cannot be adjudicated in proceedings seeking quashment of the FIR and charge sheet. It is thus submitted that the present petition is devoid of merit and amounts to an attempt to stall the criminal proceedings at a



premature stage. Therefore, the State prays that the petition seeking quashment of the FIR, charge sheet, and consequential proceedings be dismissed in the interest of justice.

12. We have heard learned counsel for the petitioners and learned Panel Lawyer appearing for the State at considerable length. We have also perused the FIR, the charge sheet, the order taking cognizance, and the documents annexed with the petition.
13. The principal submission advanced on behalf of the petitioners is that the dispute between the parties is purely civil in nature, arising out of monetary transactions connected with their jewellery business, and that the criminal proceedings have been initiated with mala fide intention. It is further contended that the essential ingredients of the alleged offences are not made out and that petitioner No. 2 has been falsely implicated without any specific role.
14. The scope of interference by this Court in exercise of its inherent jurisdiction for quashing of an FIR or charge sheet is well settled. At this stage, the Court is not required to embark upon a meticulous appreciation of evidence or adjudicate disputed questions of fact. The test to be applied is whether, on a plain reading of the FIR and the material collected during investigation, a prima facie case is made out.
15. Upon a careful perusal of the FIR and the charge sheet, we find that the allegations are not confined merely to a simple monetary



dispute. The prosecution case reflects allegations of continued unlawful demand and intimidation. Such allegations, taken at their face value, prima facie disclose the ingredients of the offences alleged. Whether the same ultimately result in conviction is a matter to be determined during trial upon appreciation of evidence.

16. The defence sought to be projected by the petitioners, including prior complaints lodged by petitioner No. 1 and the alleged undertaking executed by the complainant, involves disputed questions of fact. These aspects cannot be conclusively adjudicated in proceedings seeking quashment. The inherent jurisdiction of this Court cannot be invoked to conduct a mini-trial or to evaluate the sufficiency of evidence.
17. Insofar as petitioner No. 2 is concerned, though it is argued that no specific role has been attributed to him, the charge sheet indicates that the investigating agency has collected material implicating him. The plea of false implication is essentially a matter of defence, which can be effectively raised before the Trial Court at the appropriate stage.
18. It is also relevant to note that the investigation has been completed, the charge sheet has been filed, and the learned Trial Court has taken cognizance of the offences. The case is presently at the stage of framing of charges. The petitioners have adequate statutory remedies available before the Trial Court to raise all



permissible objections in accordance with law.

- 19.** In view of the aforesaid, we are of the considered opinion that the allegations in the FIR and the material collected during investigation disclose a prima facie case against the petitioners. The grounds urged by the petitioners do not fall within the limited parameters warranting interference for quashment at this stage.
- 20.** Consequently, we find no merit in the present petition. The same is accordingly **dismissed**. No order as to costs.

Sd/-

Sd/-

(Ravindra Kumar Agrawal)
Judge

(Ramesh Sinha)
Chief Justice