



2026:CGHC:10211-DB

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRMP No. 510 of 2026

1 - Sujeet Kumar Nirala S/o Dharmulal Nirala, Aged About 27 Years, R/o Village Dhamni, Tehsil Hasaud, P.S. Hasaud, Distt. Sakti, Chhattisgarh.

... **Petitioner**

versus

1 - State of Chhattisgarh Through P.S. New Rajendra Nagar Raipur, (P.S. As Per Chargesheet), Distt. Raipur, Chhattisgarh.

2 - XYZ (Particulars of Victim/prosecutrix enclosed in close envelop)

... **Respondents**

(Cause-title taken from Case Information System)

For Petitioner	: Mr. Chitendra Singh, Advocate.
For State	: Mr. N.K. Jaiswal, Deputy Govt. Advocate.
For Respondent No.2	: Mr. Vikram Singh Vishwakarma, Advocate.

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. The present petition has been filed by the petitioner with the following prayer:-

“1. That, this Hon'ble Court may kindly be pleased to quash the F.I.R. No.0410/2024 dated 24.10. 2024 registered at Police Station-New Rajendra Nagar, Raipur, District: Raipur

(C.G.) for offence punishable under section 376(2)(n) of Indian Penal Code, on the basis of Complaint made by Respondent No.2/Complainant.

2. That, this, Hon'ble Court may kindly be pleased to quash entire Charge-sheet bearing registration No. 403 of 2024 dated 22. 12. 2024 submitted before Judicial Magistrate First Class, Raipur, District: Raipur (C.G.) by the concern police authority against the Petitioner on 31.12.2024.

3. That, this Hon'ble Court may kindly be pleased to quash the order of Cognizance dated 14.01.2025 by which the Learned Judicial Magistrate First Class, Raipur, District: Raipur (C.G.) has taken cognizance for the offence punishable under section 376(2)(N) of Indian Penal Code.

4. That, this, Hon'ble Court may kindly be pleased to quash the Charge-Memo framed on 12.03.2025 for offence punishable under section 376(2)(K)(n) against the Petitioner in Sessions Case No.13/2025 pending before of Additional Sessions Judge, Raipur, (FTC), District-Raipur (C.G.)

5. That, this Hon'ble Court may further be kindly pleased to quash the entire Criminal Proceeding initiated in Sessions case No.13/2025 arising out of F.I.R. No. 410/2024 dated 24.10.2024 for offence punishable under section 376(2)(n) of Indian Penal Code registered at Police Station-New Rajendra Nagar, Raipur, District: Raipur (C.G.), wherein the Charges

were altered as 376(2)(k)(n), which is pending before before of Additional Sessions Judge, Raipur (FTC), District-Raipur(C.G.)

6. Any other relief which the Hon'ble Court deems fit under the facts and circumstances of the case, may kindly be granted to the petitioners.”

2. Learned counsel for the petitioner submits that the matter has been amicably settled between the parties. He would further submit that the petitioner and respondent No.2/complainant are educated and independent adult, had developed good and cordial relations, therefore, the respondent No.2/complainant does not want to prosecute the present petitioner. In this regard the respondent No.2/complainant had also executed a consent letter/affidavit dated 12-01-2026 which has been annexed at page No.98 as Annexure -P/4 of the present petition.
3. Learned counsel appearing for the State opposes the petition and submits that the FIR in question was registered on the basis of a written complaint made by the complainant alleging the offence under Section 376 (2)(n) of the IPC committed by the petitioner. The learned trial Court after due consideration has framed charge against the petitioner for the offence punishable under Section 376(2)(k)(n) of the IPC, which is not a compoundable offence.
4. After considering the submissions made by learned counsel for the parties and the fact that the charge has been framed against the

petitioner on the charge sheet submitted against him with respect to the FIR lodged by the private respondent for the offence under Section 376(2)(k)(n) of the IPC which is not compoundable offence and as such, the defence taken by the petitioner are matter of evidence which may be examined by the trial Court during trial.

5. From perusal of the entire material annexed with the petition, the written complaint and the statement of the witnesses clearly demonstrated prima facie offence against the petitioner for filing charge sheet as well as framing of charge. Therefore, we are not inclined to interfere in the matter. Accordingly, the present petition is **dismissed**.

Sd/-

(Ravindra Kumar Agrawal)
Judge

Sd/-

(Ramesh Sinha)
Chief Justice