



2026:CGHC:10157-DB



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRMP No. 612 of 2026

1 - Smt. Bahartin Bai W/o Shri Jawahar Lal Kamlesh Aged About 58 Years R/o Village - Amoda, Ward No. 15, Police Station - Navagarh, District Janjgir-Champa Chhattisgarh (Husband Name Of Petitioner No. 1 As Per Chargesheet)

2 - Shri Jawahar Lal S/o Lt. Shri Kashiram Kamlesh Aged About 65 Years R/o Village - Amoda, Ward No. 15, Police Station - Navagarh, District Janjgir-Champa Chhattisgarh

3 - Pramod Kumar Kamlesh S/o Shri Jawahar Lal Kamlesh Aged About 31 Years R/o Village - Amoda, Ward No. 15, Police Station - Navagarh, District Janjgir-Champa Chhattisgarh (Father Name As Per Chargesheet)

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through S.H.O. P.S. Tilda Nevra District Raipur Chhattisgarh

2 - Harishanker Shrimore S/o Lt. Narmada Prasad Shrimore Aged About 61 Years Ward No. 23, Kera Road Janjgir, Near Santoshi Temple, Police Station Janjgir, District Janjgir-Champa Chhattisgarh (Father Of Deceased)

... Respondent(s)

For Petitioner(s) : Mr. Chitendra Singh, Advocate

For Respondent(s) : Mr. S.S. Baghel, G.A.



Hon'ble Shri Ramesh Sinha, Chief Justice
Hon'ble Shri Ravindra Kumar Agrawal, Judge

Judgment on Board

Per Ramesh Sinha, Chief Justice

27.02.2026

1. Heard Mr. Chitendra Singh, learned counsel for the petitioners.
Also heard Mr. S.S. Baghel, learned Government Advocate for respondent No.1 / State.
2. The petitioner has filed this petition with following prayer:

“1. That, this Hon'ble Court may kindly be pleased to quash the F.I.R. No.325/2025 dated 01.08.2025 registered at Police Station-Tilda-Nevra, District-Raipur(C.G.) for offence punishable u/s 80(2)and 3(5) of BHARATIYA NYAYA SANHITA, 2023,.

2. That, this, Hon'ble Court may kindly be pleased to quash entire Charge-sheet bearing registration No. 264 of 2025 dated 23. 09. 2025 submitted before Judicial Magistrate First Class, Tilda, District: Raipur (C.G.) by the concern police authority against the Petitioner.

3. That, this Hon'ble Court may kindly be pleased to quash the Cognizance Order dated 11.11.2025 by which the Learned Judicial Magistrate First Class, Tilda, District:Raipur (C.G.)has taken cognizance for the offence punishable u/s 80(2)and 3(5) of BNS. 4. That, this, Hon'ble Court may kindly be pleased to quash the Charge-Memo dated 19.12.2025 in Sessions Case



No.398/25 framed by IXth Additional Sessions Judge, 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.398/25 pending before IXth Additional Sessions Judge, Raipur (C.G.) arising out of F.I.R. No.325/2025 dated 01.08.2025 registered at Police Station-Tilda-Nevra, District- Raipur (C.G.) for offence punishable u/s 80(2) and 3(5) of BHARATIYA NYAYA SANHITA, 2023.

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."

3. The case of the prosecution in brief is that on 01.07.2025, information was received at Police Station Tilda-Nevra, District Raipur (C.G.) that a woman named Smt. Usha Kahra had allegedly hanged herself in her house at Village Kohka, House No. LIG 4B, Housing Board Colony, Kohka. On verifying the information, the police reached the spot, questioned the informant Smt. Bahartin Kahra, and registered a rural inquest intimation. Since the deceased was a newly married woman, the Executive Magistrate conducted inquest proceedings, and the post-mortem of the deceased was carried out. The investigation recorded statements from the deceased's family members, including her father Harishankar Shrimor, mother Dhanbai, and brothers Pramod, Manoj Kumar, and Vinod Kumar Shrimor, along with



neighbors Bajrang Kumar Ratre and Ramakrishna Kashyap. The deceased had been married on 20.04.2024 to Pramod Kamlesh, son of Jawahar Lal, and initially stayed in her in-laws' house for three months. Due to quarrels and taunts from the husband and in-laws over minor issues, the deceased frequently visited her maternal home. During her pregnancy, the deceased's child was reported stillborn, and she alleged that her husband, father-in-law, and mother-in-law had repeatedly demanded Rs. 10 lakhs, harassing her both physically and mentally. On 01.07.2025, she was found hanging inside her house, and her husband informed the family of her death.

4. Based on the investigation and circumstances, it was found that the deceased had been subjected to mental and physical harassment and dowry demands by the in-laws, which allegedly led to her suicide. Consequently, Crime No. 325/2025 under relevant sections of law was registered on 01.08.2025 against the husband Pramod Kahra, father-in-law Jawahar Lal, and mother-in-law Bahartin Bai, who were subsequently arrested and sent on judicial remand. Upon completion of investigation, a chargesheet (No. 264/2025 dated 23.09.2025) was filed before the Judicial Magistrate First Class, Tilda, Raipur (C.G.). The Petitioners were granted regular bail by this Court on 13.10.2025 (Petitioner No.1 & 2) and 04.11.2025 (Petitioner No.3) in M.Cr.C. Nos. 8074/2025 and 8769/2025, respectively. Cognizance of the case was taken on 11.11.2025, the matter was transferred to IXth Additional



Sessions Judge, Raipur (C.G.), and charges were framed against the Petitioners on 19.12.2025, leading to the present petition.

5. Learned counsel for the Petitioners submits that the allegations in the F.I.R. and chargesheet are vague, general, and non-specific, and do not satisfy the legal requirements for establishing dowry harassment or dowry death. The evidence in the charge-sheet does not demonstrate that the death of the deceased was a direct consequence of any alleged dowry harassment. The crime was registered solely on the basis of oral statements, without corroborating material evidence. Essential ingredients such as pre-existing disputes, cruelty, or a proximate “live link” between any demand and the death are absent, particularly as the husband (Petitioner No.3) was residing separately in another city for employment. The deceased never personally complained to the police about dowry harassment, nor is there any community complaint or evidence that she was tortured for dowry immediately before the incident. In fact, the deceased had been living with her husband and, until the tragic events, enjoying her married life. She became pregnant on 27.05.2024, suffered a fetal loss on 26.10.2024, and was simultaneously suffering from medical conditions, including obstructing nephrolithiasis, tinea cruris et corporis, and an ovarian cyst, which required continuous treatment, leaving her mentally upset and distressed. Prima facie, these factors indicate that her death was a result of personal distress and medical complications rather than any alleged dowry



harassment. Judicial pronouncements, including **State of Madhya Pradesh v. Jogendra (2022) 5 SCC 401**, clarify that for an offence under Section 304-B IPC, it must be established that the woman's death occurred within seven years of marriage, that she was subjected to cruelty or harassment "soon before" her death, and that such cruelty was connected to dowry demands. None of these elements are substantiated in the present case. Furthermore, in **Shindo Alias Sawinder Kaur v. State of Punjab (2011) 11 SCC 517**, the Hon'ble Supreme Court recognized the grave consequences of protracted criminal proceedings on the accused, including irreparable harm to reputation, personal liberty, dignity, and social standing. In view of these circumstances, and given that the Petitioners are being forced to face prolonged criminal litigation for offences they have not committed, it would be just and proper for this Hon'ble Court to exercise its ample jurisdiction to quash the F.I.R., charge-sheet, and all subsequent criminal proceedings, thereby safeguarding the Petitioners from undue hardship, social stigma, and irreparable prejudice. He lastly submits that charges have already been framed against the petitioners on 19.12.2025 and copy of the same has been filed with the present petition.

6. Learned State Counsel submits that the F.I.R., investigation, and subsequent criminal proceedings have been initiated in accordance with law and on the basis of prima facie evidence collected during the investigation. The deceased, Smt. Usha



Kahra, was a newly married woman who, according to statements recorded during the inquest and investigation, was subjected to harassment and dowry demands by her husband and in-laws, which allegedly contributed to her death. The registration of Crime No. 325/2025 under the relevant sections, the arrest of the accused, and the filing of the charge-sheet were carried out after following due legal procedure, including recording of statements from multiple family members, neighbors, and other witnesses. The allegations include repeated harassment and mental torture for the demand of dowry, as well as other circumstances surrounding the death, which cannot be dismissed as vague or unsubstantiated without trial. It is further submitted that the scope of Sections 304-B IPC and 498A IPC is to protect married women from cruelty and dowry-related harassment, and it is the duty of the State to ensure that such complaints are thoroughly investigated before any conclusion is reached. Accordingly, the F.I.R., investigation, and criminal proceedings are neither frivolous nor an abuse of process, and the petition seeking quashment of the same is premature, as the accused are yet to face trial and all evidence must be tested in accordance with law. Furthermore, the charges have already been framed against the petitioners on 19.12.2025.

7. We have heard learned counsel for the parties and perused the documents appended with petition.



8. On perusal of the material placed on record, it is evident that the F.I.R., investigation, and subsequent criminal proceedings have been initiated on the basis of prima facie evidence and after following due legal procedure, including recording statements of the deceased's family members, neighbors, and other witnesses. The allegations involve harassment and mental torture in connection with dowry demands, which, if proved, fall within the scope of Sections 304-B and 498A IPC. At this stage, it is not open to the Court to examine the merits of the allegations or to decide disputed questions of fact. The Petitioners have already been granted bail and charges have been framed against them, and the matter is now pending trial, where all evidence can be tested in accordance with law. In view of the above, no case for quashment is made out at this stage, and the petition seeking quashment of the F.I.R., chargesheet, and all subsequent proceedings is, accordingly, **dismissed**.

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice