



HIGH COURT OF CHHATTISGARH AT BILASPUR

WPCR No. 120 of 2025

1 - Dr. Pravin Rustam Rao Borde S/o Rustam Rao Borde Aged About 40 Years
R/o Flat No.-202, 2nd Floor, Mahalaxmi Apartment, Beed Bypass, Aurangabad
(M.H.)

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through - The Officer In Charge, Police Station
Dindayal Nagar, Raipur, District - Raipur (C.G.)

2 - Vinita Jha W/o Mukesh Jha Aged About 32 Years R/o Kailashpuri, Near
Yogmata Mandir, Tikrapara, Raipur, Tahsil And District - Raipur (C.G.)

3 - Mukesh Jha S/o Ayodhya Datt Jha Aged About 43 Years R/o Kailashpuri,
Near Yogmata Mandir, Tikrapara, Raipur, Tahsil And District - Raipur (C.G.)

4 - Ashish Tiwari S/o Madan Mohan Tiwari Aged About 43 Years R/o Sector-10,
Civic Center, Bhilai, District - Durg (C.G.)

... Respondent(s)

Order Sheet

03/03/2025	Heard Mr. Akhand Pratap, learned counsel for the petitioner. Also heard Mr. Shashank Thakur, learned Dy. Advocate General, appearing for the State/respondent on I.A. No. 01 of 2025, application for grant of stay/ interim relief. Learned counsel for the petitioner filed this writ petition for quashing the final report No. 7/25 dated 13.01.2025 filed consequent to registration of FIR No. 0462/2023 dated 12.10.2023 for the offence under Section 420 of IPC and Section 4 of the Chhattisgarh State Upcharyagrih Tatha Rogopchar Sambandhi Sthapanaye Anugyapan Adhiniyam, 2010 and also order taking cognizance of offence dated 27.01.2025 passed by the Court of learned Judicial Magistrate, 1st class, Raipur, in Criminal Case No. 685/2025. Learned counsel for the petitioner would submit that the averments contained in the FIR does not comes under the purview of offence under Section 420 of IPC but it is purely a civil transaction having the civil consequence but the lesser practice it has been given in the shape to criminality. It was only a contractual dispute between the parties yet the FIR has been registered against the petitioner, therefore, dispute between the parties is running to a medical store, the hospital of the petitioner. The FIR has been lodged on unsubstantiated facts which may

affect the reputation of the petitioner who is qualified medical doctor, therefore, the impugned FIR as well as the final report may be quashed. He would further submits that another relief has been granted to the co-accused Dr. Urvashi Phuljhale by this Court vide order dated 06.02.2025 in WPCR No. 81/2025 and the case of the present petitioner is similar to her case that the petitioner is having license under Section 4 of the Chhattisgarh State Upcharyagriha Tatha Rogopchar Sambandhi Sthapanaye Anugyapan Adhiniyam, 2010 and he is also entitled for interim relief in the present petition.

Learned state counsel appears and accepts notice on behalf of State, therefore, issuance of notice to it, is dispensed with.

Issue notice to the respondent Nos. 2, 3 & 4 by ordinary post as well as registered post.

Process fee be paid within a week only for respondent Nos. 2, 3 & 4.

Notice be made returnable in four weeks.

Two weeks' time is granted to the learned State counsel as well as respondent Nos. 2, 3 & 4 to file their reply- affidavit and thereafter, two weeks' time is granted to the learned counsel for the petitioner to file rejoinder.

List this case thereafter along with WPCR No. 81/2025.

Alok	Till the next date of hearing, further proceeding in Criminal Case No. 685/2025, which is pending before the learned Judicial Magistrate 1st Class, Raipur shall remain stayed. Sd/- (Ravindra Kumar Agrawal) Judge Sd/- (Ramesh Sinha) Chief Justice
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