



HIGH COURT OF CHHATTISGARH AT BILASPUR

CRMP No. 604 of 2026

1 - Yogesh Keshari Alias Lamkeshari S/o Mahesh Keshari Aged About 30 Years R/o Sonkar Para Dayalband Bilaspur District- Bilaspur (C.G.) (Wrongly Mention As Lamkeshari (Annp/ 1).

2 - Yogesh Mishra S/o Laxmi Prasad Mishra Aged About 45 Years R/o Kutipara Mopka Bilaspur District- Bilaspur (C.G.).

3 - Amit Kumar S/o Arun Kumar Aged About 33 Years R/o Nayapara Dayalband Bilaspur District- Bilaspur (C.G.) Wrongly Mentioned As Amit Sonker In (Ann P/ 1).

4 - Dharmendra Vaishnav S/o Narmada Prasad Vaishnav Aged About 39 Years R/o Bansod Mohalla, Shyamnagar Lingiyadih Bilaspur District- Bilaspur (C.G.).

5 - Ashish Mourya S/o Rajendra Kumar Mourya Aged About 39 Years R/o Ward No 32, Manu Chowk Tikrapara Bilaspur District- Bilaspur (C.G.) (Add- Of Petitioner Wrongly Mentioned In Ann P/ 1).

... Petitioners

versus

1 - State Of Chhattisgarh Through- S.H.O P.S Sarkanda District- Bilaspur Chhattisgarh.

2 - Mohammad Ameen Mugal S/o Mohammad Siddiqui Mugal Aged About 52 Years R/o Parshuram Chowk Rajkishore Nagar Bilaspur Tehsil And District- Bilaspur (C.G.) (Complainant).

... Respondents

Order Sheet

24/02/2026	Mr. Anshul Tiwari, Advocate for the Petitioners. Ms. Sunita Manikpuri, G.A. for the State. Heard on I.A. No. 01/2026, which is an application for grant of stay. The present petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, has been preferred by the petitioners challenging the impugned order dated 18.02.2026 passed by the learned Judicial Magistrate First Class, Bilaspur, in unregistered complaint (Mohammad Ameen Mugal Vs. Lamkeshri & Ors.), whereby the application under Section 156(3) of CrPC filed by respondent No. 2 has been allowed, directing the SHO, Sarkanda, District-Bilaspur (CG), to register an FIR against the present petitioners for the offences under Sections 294, 506(2), and 427 of IPC and submit a final report after investigation. The impugned order itself reveals that the trial court had recorded the preliminary statements of the complainant/victim Mohammad Ameen Mugal and other witnesses under Section 202 of CrPC in relation to the application filed under Section 156(3) CrPC. No document was produced by the complainant (respondent No. 2) to show that a complaint was made to the Police Station

Sourabh P.	Sarkanda or the Superintendent of Police, Bilaspur, and it is alleged that the procedure under Section 154 CrPC was not followed. A report was also called from the Police Station Sarkanda, which reveals that there is a dispute between the parties regarding ownership and possession of the land in question, and a case is pending in the Revenue Court. Thus, it is not clear whether the provisions of Section 154 CrPC have been complied with. It is also unclear whether the trial court exercised powers under Section 156(3) CrPC or proceeded under Section 200 CrPC. Given this ambiguity, it is appropriate to stay the operation of the impugned order. Accordingly, I.A. No. 1/2026 is allowed and effect and operation of the impugned order dated 18.02.2026 passed by JMFC, Bilaspur (C.G.) shall remain stayed till the next date of hearing. Let notice be issued to respondent No. 2 on payment of process fee as per rules. CC today. Sd/- (Sanjay Kumar Jaiswal) Judge
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