



HIGH COURT OF CHHATTISGARH AT BILASPUR

CRMP No. 733 of 2026

Md. Masroof Naimuddin Siddiqui **Versus** The State Of Chhattisgarh
Order Sheet

13.03.2026	Heard Mr. Pushkar Sinha, learned counsel for the petitioner. Also heard Mr. Shailendra Sharma, learned Panel Lawyer, appearing for respondent No.1/State and perused the FIR as well as material brought on record. Learned counsel for the petitioner further submits that there is a matrimonial dispute between petitioner / husband and respondent No. 2 / wife and marriage between them was solemnized on 08.12.2016 and the present FIR has been lodged by respondent No. 2 against the petitioner for harassment on 22.08.2025. He further submits that the present petition has been filed under Section 528 of the BNSS, 2023 seeking quashment of FIR

	No.197/2025 dated 22.08.2025 registered at Police Station Chirmiri under Sections 3 and 4 of the Muslim Women (Protection of Rights on Marriage) Act, 2019, along with Charge-sheet No.236/2025 and all consequential criminal proceedings. It is contended that the marriage between the petitioner and respondent No.2 was solemnized on 08.12.2016 in accordance with Muslim Personal Law and one male child was born out of the wedlock; however, due to prolonged matrimonial discord and failure of reconciliation efforts, the petitioner, who is a serving member of the Indian Army with an otherwise unblemished service record, pronounced Talaq-e-Ahsan by way of a single pronouncement on 26.02.2025 in the presence of witnesses, followed by issuance of a written Talaqnama and payment of Mehr and Iddat allowance in accordance with law. It is specifically submitted that the petitioner never pronounced Talaq-e-Biddat or instant triple talaq, and the impugned FIR lodged after an unexplained
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delay of about six months does not disclose any allegation of instantaneous and irrevocable divorce so as to attract the penal provisions of Sections 3 and 4 of the Act of 2019, which criminalize only Talaq-e-Biddat and not Talaq-e-Ahsan recognized under Muslim Personal Law. It is further submitted that the impugned proceedings are a counterblast arising out of matrimonial and property disputes and have been initiated with malafide intention to harass the petitioner and adversely affect his service career, and even if the allegations in the FIR are taken at their face value, no prima facie offence is made out; therefore, continuation of the criminal prosecution would amount to abuse of the process of law and result in miscarriage of justice. He lastly submits that the present matter be referred to the Mediation & Conciliation Centre of this Court being matrimonial in nature as there may be chances of compromise between the parties.

Considering the fact that the dispute arrived

between the parties *i.e.* petitioner / husband and respondent No. 2 / wife is matrimonial in nature, we deem it appropriate to make an effort to get the said dispute settled by way of mediation.

In view of the above, petitioner shall deposit **Rs. 1,00,000/-** with the Mediation Centre of this Court and the same shall be paid to respondent No. 2 on her appearance before the Mediation Centre.

The matter is remitted to the Mediation Centre with the direction that the Mediation Centre shall conclude the mediation and conciliation proceedings expeditiously, after giving notices to both the parties.

Parties are directed to appear before the Mediation Centre of this Court on **02.04.2026**.

Learned State counsel is directed to inform the private respondent No.2 about passing of this order, so that she may appear before the Mediation Centre of the aforesaid date.

List this matter along with report of Mediation Centre before this Court on **10.04.2026**.

Till the next date of listing, further proceedings against the petitioner arising out of FIR No. 197/2025 dated 22.08.2025 registered at Police Station- Chirmiri, District- M.C.B. (C.G.) for offences under Sections 3 & 4 of the Muslim Women (Protection of Rights on Marriage) Act, 2019, including Charge-sheet No. 236/2025 dated 12.11.2025 in Criminal Case No. 915/2025 pending before the Court of learned Judicial Magistrate First Class, Chirmiri, District-Koriya (now M.C.B.), shall remain stayed.

After depositing the amount as aforesaid, notice shall be issued to the parties.

It is made clear that in case the aforesaid amount is not deposited within the aforesaid period, the interim protection granted as above shall automatically be vacated and this petition shall stand dismissed without further reference to any Bench of this Court.

The petitioner is directed to produce the copy of the receipt before the trial Court concerned regarding payment of the said money before the Mediation

Centre of this Court in pursuance of this Court's order, then only this order shall be given into effect.

It is also made clear that if any final settlement is arrived at between the parties, the aforesaid amount so deposited, shall be adjusted.

**Sd/-
(Ravindra Kumar Agrawal)
Judge**

**Sd/-
(Ramesh Sinha)
Chief Justice**