

**HIGH COURT OF CHHATTISGARH AT BILASPUR****CRMP No. 764 of 2026****KUMAR SAHU *versus* STATE OF CHHATTISGARH**
Order Sheet

17.03.2026	Heard Ms. Sareena Khan, learned counsel for the petitioners and Mr. Shailendra Sharma, learned Panel Lawyer, appearing for the State/respondents No.1 and 3. Learned counsel for the petitioners submits that the impugned FIR registered in Crime No. 91/2026 is a false and malicious counterblast to the earlier FIR lodged at the instance of the petitioner's wife in Crime No. 90/2026 against Respondent No. 2 and her husband, arising out of the same incident. It is submitted that the petitioner was in fact the victim of assault, suffered serious injuries, and remained hospitalized for seven days, which is duly supported by

medical records, thereby probalizing the petitioner's version and falsifying the allegations made in the counter FIR.

It is further submitted that the petitioners have already been enlarged on bail. The impugned FIR has been lodged with a clear ulterior motive to evade legal consequences and to pressurize the petitioners. The allegations are concocted and do not disclose any independent offence, being merely a retaliatory version of the same occurrence. In such circumstances, continuation of the proceedings pursuant to the impugned FIR amounts to abuse of the process of law and deserves to be quashed.

On the other hand, learned counsel for the State submits that both FIRs arise out of the same incident and represent rival versions, and the allegations in the impugned FIR prima facie disclose commission of cognizable offences under the BNS. It is submitted that the truthfulness of the allegations and the role of the parties can only be determined upon proper

investigation/trial, and therefore, no case for quashing is made out at this stage.

In view of the above, issue notice to the respondents by ordinary process as well as speed post.

Learned State counsel appears and accepts notice on behalf of respondents No.1 and 3, therefore, issuance of notice to the State/respondents No.1 and 3, is dispensed with.

Issue notice to respondent No.2 by ordinary and speed post. Process fee be paid as per Rules.

Four weeks' time is granted to the learned counsel for the respondents to file their reply-affidavits and thereafter, two week's time is granted to the learned counsel for the petitioners to file rejoinder-affidavit.

List the matter thereafter.

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice