



2026:CGHC:13620-DB



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRMP No. 828 of 2026

1 - Mo. Muslim Khan S/o Mo. Shoukat Khan , Aged About 27 Years R/o House No. 86, Kota Road Lormi, Ward No. 15, Ramhepur, Lormi , District- Mungeli (C.G.)

... **Petitioner(s)**

versus

1 - State Of Chhattisgarh Through Station House Officer, Police Station Tarbahar, District- Bilaspur (C.G.)

2 - Superintendent Of Police, Bilaspur, District- Bilaspur (C.G.)

... **Respondent(s)**

For Petitioner(s) : Ms. Rabiya Khan, Advocate.

For Respondent/State : Mr. Shaleen Singh Baghel, Govt. Avocate.

Hon'ble Shri Ramesh Sinha, Chief Justice

Hon'ble Shri Ravindra Kumar Agrawal, Judge

Order on Board

Per Ramesh Sinha, Chief Justice

23/03/2026

1. Heard Ms. Rabiya Khan, learned counsel for the petitioner. Also heard Mr. Shaleen Singh Baghel, learned Govt. Advocate, appearing for the Respondent/State.

2. The present petition has been filed by the petitioner with the



following prayer:

"It is therefore, prayed that, this Hon'ble Court may kindly be pleased to allow the present petition and quash/set aside the impugned FIR dated 15/12/2025 in Crime No. 388/2025 for an offence under section 69 of Bharatiya Nyay Sanhita 2023 charge sheet and criminal proceeding registered in police station Tarbahar Bilaspur (C.G.) by the respondent No. 1, in the interest of justice."

3. Brief facts of the case are that the petitioner, Mo. Muslim Khan, a 27-year-old MBBS graduate, has filed this petition under Section 528 of the Bhartiya Nagarik Suraksha Sanhita 2023 seeking quashing of FIR No. 388/2025 registered at Tarbahar Police Station, Bilaspur, for an offence under Section 69 of the BNS 2023. The FIR alleges that the petitioner had a physical relationship with the victim, a 23-year-old woman preparing for the NEET examination, on the pretext of marriage from October 2024 to September 2025, resulting in her pregnancy. The petitioner contends that the relationship was consensual, both parties are adults, and the allegations are false and motivated by threats, emotional blackmail, and extortion by the victim. He further states that he has no criminal antecedents, the victim was aware that marriage was not possible, and the FIR was filed after delay, despite prior resolution of the matter. Copies of the FIR, charge sheet, registration certificate, WhatsApp chats, and anticipatory bail order have been annexed as evidence, and the petitioner seeks quashing of the FIR and criminal



proceedings on the grounds of innocence and false implication.

4. Learned counsel for the petitioner would submit that the FIR registered as Crime No. 388/2025 at Tarbahar Police Station, Bilaspur, for an alleged offence under Section 69 of the Bhartiya Nagarik Suraksha Sanhita 2023 is wholly misconceived, baseless, and liable to be quashed. It is submitted that the relationship between the petitioner and the complainant was entirely consensual, both being adults, and none of the ingredients of the said section are attracted in the present case. The FIR has been lodged after undue delay and appears to be motivated by threats, emotional blackmail, and demands for illegal gratification. The petitioner is a reputable MBBS doctor with no criminal antecedents, and continuation of the proceedings would irreparably damage his career and reputation. In view of the above, and in light of the annexed evidences including WhatsApp chats, registration certificate, and anticipatory bail order, it is most respectfully prayed that this Hon'ble Court may graciously quash the FIR, charge sheet, and all proceedings arising therefrom as being wholly unjustified and without merit.

5. On the other hand, learned counsel appearing for the Respondent/State opposes the submissions made by learned counsel for the petitioner and would submit that the FIR registered as Crime No. 388/2025 at Police Station Tarbahar, District Bilaspur, under Section 69 of the Bhartiya Nagarik Suraksha Sanhita 2023, was lodged on the basis of a complaint made by the victim and involves serious allegations



which require full investigation and judicial scrutiny. It is submitted that the petitioner's contentions regarding consensual relationship, alleged threats, character of the parties, or delay in lodging the FIR are factual in nature and cannot justify pre-emptive quashing of the FIR or proceedings, and quashing at this stage would circumvent due process and prejudice the statutory rights of the victim; the investigation has been duly conducted and a charge sheet has been filed before the competent court, and while this Hon'ble Court has granted anticipatory bail to the petitioner on 15.01.2026 in MCRC(A) No. 83 of 2026 safeguarding his liberty, such grant of bail cannot be construed as an expression of opinion regarding the merits of the allegations or the innocence of the petitioner. He further submits that no case is made out for quashing the FIR or proceedings arising therefrom and prays that this Hon'ble Court may decline to interfere with the lawful investigation and trial while respecting the liberty already granted to the petitioner.

6. We have heard learned counsel for the parties and perused the material annexed with the petition.

7. This Court has carefully examined the petition filed under Section 528 of the Bhartiya Nagarik Suraksha Sanhita 2023, the FIR registered as Crime No. 388/2025 at Police Station Tarbahar, District Bilaspur, the charge sheet filed by the investigating agency, and the submissions advanced by the learned counsel for the petitioner as well as the Respondent-State. The petitioner has sought quashing of the FIR and all proceedings arising therefrom on the grounds that the alleged



relationship with the victim was consensual, both parties are adults, the FIR was delayed, and the allegations are false and motivated. The petitioner further contends that the FIR and subsequent criminal proceedings will adversely affect his reputation and career, notwithstanding his status as an MBBS doctor, and has relied upon certain documents, WhatsApp chats, and anticipatory bail order as evidence in support of his claim.

8. On consideration of the record, it is evident that the allegations involve serious offences under Section 69 of the BNS 2023, which cannot be adjudicated without a proper investigation and trial. The contentions raised by the petitioner regarding consensual relationship, delay in lodging the FIR, alleged threats, or character of the parties are factual disputes that cannot be examined at the stage of a quashing petition. The investigation in the matter has been duly conducted, and a charge sheet has already been filed before the competent court. While it is noted that the petitioner has been granted anticipatory bail on 15.01.2026 in MCRC(A) No. 83/2026, thereby safeguarding his liberty, such grant does not constitute any determination on the merits of the allegations or preclude the continuation of proceedings. The Court cannot, at this stage, pre-empt the statutory process or the rights of the victim to have the matter examined and adjudicated in accordance with law.

9. In view of the above, the Court finds that the petitioner has failed to demonstrate any exceptional circumstances warranting interference



under Section 528 of the BNS 2023. The FIR, charge sheet, and criminal proceedings arising therefrom are maintainable and cannot be quashed merely on the basis of disputed factual contentions or plea of innocence. Accordingly, the petition is devoid of merit and is **dismissed**.

Sd/-

(Ravindra Kumar Agrawal)
Judge

Sd/-

(Ramesh Sinha)
Chief Justice

Alok