



2026:CGHC:13615-DB



2026:CGHC:13615-DB

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****CRMP No. 823 of 2026**

Bhola Prasad Kurrey S/o Late Sonsai Kurrey Aged About 42 Years R/o Kedarapur, Premnagar, P.S. Surajpur, Dist. Surajpur Chhattisgarh. Presently Residing At Kedarapur, Ambikapur, P.S. Ambikapur, Dist. Sarguja, Chhattisgarh

... Petitioner(s)**versus**

- 1.** State of Chhattisgarh Through Station House Officer, P.S.- Gandhi Nagar, Ambikapur, Dist. Sarguja, Chhattisgarh
- 2.** Sanjit Agrawal S/o Kanhaiyalal Agrawal Aged About 38 Years R/o Ward No. 3, Mishra Gali, Behind Global School, Surajpur, Dist. Surajpur, Chhattisgarh
- 3.** Sandeep Agrawal S/o Kanhaiyalal Agrawal Aged About 43 Years R/o Ward No. 3, Mishra Gali, Behind Global School, Surajpur, Dist. Surajpur, Chhattisgarh
- 4.** Kanhaiyalal Agrawal S/o Unknown Aged About 72 Years R/o Ward No. 3, Mishra Gali, Behind Global School, Surajpur, Dist. Surajpur, Chhattisgarh



5. Divya Gupta D/o Ashok Gupta Aged About 26 Years R/o Champa, Dist.- Janjgir Champa, Chhattisgarh.
6. Yogesh Gupta S/o Ashok Gupta Aged About 40 Years R/o Champa, Dist.- Janjgir Champa, Chhattisgarh.
7. Dev Kumar Kurrey S/o Ali Sai Kurrey Aged About 25 Years R/o Kedarpur, Nayakpara, P.S. Premnagar, Surajpur, Dist. Surajpur Chhattisgarh

...Respondent(s)

(Cause-title taken from Case Information System)

For Petitioner	:	Mr. Sangeet Kumar Kushwaha, Advocate.
For Respondent/State	:	Mr. S.S. Baghel, Government Advocate.

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 Mr. Sangeet Kumar Kushwaha, learned counsel for the petitioner. Also heard Mr. S.S. Baghel, learned Government Advocate, appearing for the State/respondent No. 1.
2. The present petition has been filed by the petitioner with the following prayers:

“(i) That, this Hon’ble Court may kindly be pleased to call for the entire records pertaining to the present



case from the respondent Police Station.

(ii) That, this Hon'ble Court may kindly be please to quash the impugned FIR bearing No. 715 of 2024 so far as it relates to the petitioner registered at respondent Police Station for alleged offences punishable under Sections 420, 120-B of the Indian Penal Code, 1860 (hereinafter referred to as 'IPC'), Section 111 and 317(4) of Bhartiya Nyay Sahinta, 2023, Section 4, 5 and 6 of the Prize Chits and Money Circulation Schemes (Banning) Act, 1978 and Section 10 of Chhattisgarh Protection of Depositors Interest Act, 2005.

(iii) That, any other relief which this Hon'ble Court may deem fit in the interest of justice, may kindly be awarded."

3. Learned counsel for the petitioner submits that the petitioner is a bona fide, law-abiding and peace-loving citizen of India, entitled to the protection of his fundamental, constitutional and legal rights as guaranteed under the Constitution of India. It is submitted that the petitioner initially lodged an FIR against one Sanjit Agrawal and other co-accused persons alleging that they, by way of social media प्रचार and wide publicity, induced members of the public to invest money in their institution, namely "Subh Nivesh Stock Trading Company" situated at M.G. Road, Ambikapur, on the assurance of abnormally high returns



within a short period. He further submits that the petitioner, being influenced by such representations, enrolled himself in a 40-day share trading course conducted by the said accused. Upon completion of the course, he was persuaded to invest substantial amounts with the assurance of returns up to ten times the invested sum. Acting upon such inducement, the petitioner along with his relatives invested an amount of Rs. 75,00,000/-. It is contended that only a nominal portion of the promised returns, approximately 10%, was paid, and thereafter the accused persons absconded, their office was found locked and contact numbers switched off. It is also submitted that the post-dated cheque issued in favour of the petitioner was dishonoured due to insufficient funds.

4. Learned counsel for the petitioner further contended that despite being the complainant and victim, the petitioner has been erroneously arrayed as a co-accused during the course of investigation. It is submitted that the petitioner was arrested on 14.09.2025 and subsequently enlarged on bail on 18.11.2025. It is also contended that the petitioner had earlier approached the Superintendent of Police for registration of FIR and has independently initiated proceedings under Section 138 of the Negotiable Instruments Act against the main accused. He would submit that there is no material on record to prima facie establish the involvement of the petitioner in the alleged offences and that the essential ingredients of the offences under the relevant penal provisions are not made out against him. It is argued that continuation of criminal proceedings against the petitioner would



amount to abuse of the process of law.

5. *Per contra*, learned State counsel vehemently opposes the petition and submits that the investigation is still at a crucial stage and has not yet culminated in submission of the final police report. It is submitted that the role of the petitioner is under active investigation and cannot be conclusively determined at this premature stage. It is further contended that merely because the petitioner was the initial informant does not ipso facto preclude his involvement in the alleged offence, if material collected during investigation indicates otherwise. He further submits that similarly placed co-accused persons i.e. respondents No. 3 and 4 had earlier approached this Court by filing CRMP No. 588 of 2025 seeking quashing of the same FIR, which came to be dismissed on 17.02.2025, and therefore, the present petition deserves to be considered with circumspection. He further submitted that interference under Section 528 of the BNSS at the stage of ongoing investigation is warranted only in exceptional circumstances, which are not made out in the present case.

6. We have heard learned counsel for the parties, considered their rival submissions and perused the material available on record with due care.

7. At this stage, it is well settled that the inherent jurisdiction for quashing of an FIR is to be exercised sparingly and with caution. When the investigation is still in progress, the Court ordinarily ought not to interfere unless the allegations on the face of the record do not disclose



any offence or the proceedings are manifestly mala fide.

8. In the present case, as the investigation is still pending and the police report has not yet been filed, this Court is not inclined to examine the merits of the allegations in detail or to record any finding which may prejudice either party.

9. Accordingly, in the interest of justice, the concerned Investigating Officer is directed to expedite the investigation and submit the police report under Section 173(2) of the Cr.P.C. (now Section 193(3) of the BNSS) before the competent Court, strictly in accordance with law, within a period of six weeks from the date of receipt of a certified copy of this order.

10. It is made clear that this Court has not expressed any opinion on the merits of the case. The petitioner shall be at liberty to avail appropriate remedies, as available under law, at the appropriate stage.

11. It is further observed that in the event the petitioner is aggrieved by the police report so filed, he shall be at liberty to challenge the same before the appropriate forum in accordance with law.

12. With the aforesaid observations and directions, the present petition stands **disposed off**.

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice