



2026:CGHC:12599-DB

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPCR No. 143 of 2026**

Manisha Sarthi W/o Rahul Sarthi Aged About 26 Years R/o Ward No. 03
Shanti Nagar Dhedadabri Bilaspur, District - Bilaspur Chhattisgarh

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

1. State of Chhattisgarh Through - Secretary, Home (Police) Department, Atal Nagar, Nawa Raipur, District Raipur Chhattisgarh
2. Superintendent of Police Sarkanda, District Bilaspur Chhattisgarh
3. Station House Officer Police Station Sarkanda, District Bilaspur Chhattisgarh
4. Pinky Shriwas W/o Satyavan Shriwas Aged About 32 Years R/o L.I.G. Bees, Dindayal Colony, Behtarai, Bilaspur District Bilaspur Chhattisgarh
5. Rahul Sarthi S/o Nandkishore Sarthi Aged About 27 Years R/o Devarchal Chingrajpara Bilaspur, District Bilaspur Chhattisgarh
6. Rajesh Shriwas S/o Mohan Shriwas Aged About 30 Years R/o Sarjubagicha Telipara Bilaspur District Bilaspur Chhattisgarh

...Respondent(s)

(Cause-title taken from Case Information System)

For Petitioner	:	Mr. Sourabh Sonwani, Advocate.
For Respondents/State	:	Mr. Priyank Rath, Government Advocate.



Hon'ble Shri Ramesh Sinha, Chief Justice
Hon'ble Shri Ravindra Kumar Agrawal, Judge
Order on Board

Per Ramesh Sinha, Chief Justice

17.03.2026

1. Heard Mr. Sourabh Sonwani, learned counsel for the petitioner. Also heard Mr. Priyank Rathi, learned Government Advocate, appearing for the State/respondents No. 1 to 3.
2. The present petition has been filed by the petitioner with the following prayers:

“10.1 That, the petitioner craves the kind indulgence of this Hon’ble Court for grant of the following relief(s):-

10.2 That, this Hon’ble Court may kindly be pleased to allow the present writ petition preferred by the petitioner and call for the records pertaining to the present case.

10.3 That, this Hon’ble Court may kindly be pleased to direct commanding the respondent No. 2 to 3 and to provide adequate and effective police protection to the petitioner to ensure the safety of their live and personal liberty.

10.3 That, this Hon’ble Court may kindly be pleased to



directing the respondents to ensure that no coercive or illegal action is taken against the petitioner at the behest of the respondents No. 4 to 6.

10.4 That, this Hon'ble Court may kindly be pleased to direction to the respondent authority to tale appropriate action against the private respondent i.e. No. 5, restraining them from interfering in the peaceful lives of the petitioner or form causing any physical harm, or mental harassmt during the pendency of their respective divorce proceedings.

10.5 That any other relief/order which may deem fit and just in the facts and circumstances of the case including award of the cost of the petition may be given."

3. Learned counsel for the petitioner submits that due to serious matrimonial disputes and continuous harassment, the petitioner has been compelled to live separately from her husband, namely respondent No. 5. Learned counsel submits that the petitioner has already instituted a petition seeking dissolution of marriage before the competent Family Court. It is further submitted that respondent No. 5, instead of following the due process of law, has been continuously harassing the petitioner and subjecting her to mental as well as physical torture. According to the petitioner, respondent No. 5 has also been exerting undue pressure upon her to withdraw the legal proceedings



initiated before the Family Court.

4. Learned counsel for the petitioner further submits that respondent No. 5 has been falsely implicating the petitioner by alleging that she has an illicit relationship with one Satyavan, who is a married man. It is contended that the said allegation has also been propagated by the wife of Satyavan, namely respondent No. 4, along with respondent No. 6. It is categorically submitted that there is no love affair or illegal relationship between the petitioner and the said Satyavan and that all such allegations are completely baseless and motivated. It is further submitted that respondent Nos. 4 to 6 have initiated a deliberate campaign to malign the reputation and character of the petitioner and are continuously threatening and harassing her on the basis of unfounded suspicions.

5. Learned counsel for the petitioner further contended that the wife of Satyavan, namely respondent No. 4, has lodged a false and fabricated complaint before the police authorities against the petitioner. On the basis of the said complaint, the local police authorities are allegedly calling the petitioner to the police station repeatedly and subjecting her to harassment without conducting any preliminary inquiry and without there being any incriminating material against her. It is submitted that such conduct amounts to a violation of the petitioner's fundamental right to live with dignity. It is further submitted that the petitioner is being victimized by respondent Nos. 4 to 6 as well as by the arbitrary conduct of the police authorities, making it difficult for her to



live a peaceful and dignified life. According to the petitioner, the alleged harassment by the private respondents along with the interference of the police authorities amounts to a violation of her right to life and personal liberty guaranteed under Article 21 of the Constitution of India.

6. Learned counsel for the petitioner would submit that the complaints made against the petitioner are malicious in nature and have been lodged with the sole intention to tarnish her reputation and to cause mental agony to her during the pendency of the divorce proceedings. It is also contended that the police authorities are acting beyond their jurisdiction by allegedly calling the petitioner to the police station on the basis of mere matrimonial suspicions raised by one person, namely Satyavan, without following the guidelines laid down by the Hon'ble Supreme Court with regard to the interrogation and summoning of women. It is further submitted that the petitioner is being repeatedly called to the police station without issuance of any proper notice and without following the procedure established by law.

7. *Per contra*, learned State counsel submits that the allegations made in the writ petition are misconceived and devoid of merit. It is submitted that the police authorities have only acted upon a complaint received from respondent No. 4 and have undertaken necessary inquiry in accordance with law. It is further submitted that no coercive action has been taken against the petitioner and the police authorities have acted strictly within the parameters of law while making inquiries into the complaint received. He further submits that the present writ petition is



premature and not maintainable in the absence of any violation of statutory provisions or fundamental rights.

8. We have heard learned counsel for the parties and have carefully perused the pleadings as well as the materials available on record.

9. From the submissions advanced on behalf of the petitioner, it appears that the dispute between the parties primarily arises out of matrimonial discord between the petitioner and respondent No. 5 and the consequential allegations made by the private respondents. The grievance of the petitioner essentially relates to alleged harassment by the private respondents and the conduct of the police authorities in calling the petitioner to the police station in connection with a complaint lodged by respondent No. 4.

10. It is well settled that the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India is primarily meant to address cases involving violation of fundamental rights or failure of statutory authorities to discharge their legal duties. In the present case, the allegations raised by the petitioner involve disputed questions of fact relating to personal and matrimonial disputes between the parties, which cannot be appropriately adjudicated in exercise of writ jurisdiction. Further, merely calling a person by the police authorities for the purpose of inquiry pursuant to a complaint cannot, by itself, be said to be illegal or arbitrary, particularly when no coercive action has been taken against the petitioner. Such matters fall within the domain of the investigating authorities and cannot ordinarily be interfered with by this



Court in exercise of its writ jurisdiction unless a clear case of abuse of process or violation of law is demonstrated.

11. This Court is of the considered opinion that the grievances raised by the petitioner can be adequately addressed by availing appropriate remedies before the competent forum in accordance with law.

12. In view of the aforesaid facts and circumstances and considering the nature of the dispute involved, this Court does not find any ground to invoke its extraordinary jurisdiction under Article 226 of the Constitution of India.

13. Accordingly, the writ petition stands **dismissed**. However, the petitioner shall be at liberty to avail such remedies as may be available to her under the law before the appropriate authority or competent Court, if so advised.

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice