



2026:CGHC:13628-DB



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPCR No. 157 of 2026

Smt. Shashi Sahu W/o Shri Ravi Sahu Aged About 35 Years R/o Gandhi
Nagar, Kalibadi District- Raipur (C.G.)

... Petitioner

versus

**1 - State Of Chhattisgarh Through- The Secretary Home Department
Mantralaya Mahanadi Bhawan Atal Nagar New Raipur, District- Raipur (C.G.)**

2 - The Superintendent Of Police Raipur District- Raipur (C.G.)

**3 - The Station House Officer Police Station Kotwali Middle Zone Police
Commissionerate Raipur (C.G.)**

---- Respondents

(Cause title taken from Case Information System)

For Petitioner	:	Mr. C.R. Sahu, Advocate
For Respondents/State	:	Mr. Shaleen Singh Baghel, Govt. Advocate

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

Order on Board

Per Ramesh Sinha, C.J.

23/03/2026

1. The petitioner has filed the present writ petition calling in question the legality and validity of the impugned notice dated 14.03.2026 issued by



respondent No.3 – Station House Officer, Police Station Kotwali, Raipur, whereby the petitioner has been directed to furnish certain information and to appear before the said authority under the provisions of the NDPS Act.

2. The present writ petition has been filed by the petitioner with the following prayers:-

“10.1 That the Hon’ble Court may kindly be pleased to direct the respondent No.3 to quash/set aside the impugned Notice dated 14/03/2026 क्रमांक थाना / कोतवाली/राय/अप- क्रमांक 337/24/2026 (Annexure P-1) issued by the respondent No.3 so far as it relates to the petitioner.

10.2 That the Hon’ble Court may kindly be pleased to direct the respondent No.3 to not to issue any notice to the petitioner till release on bail of Ravi Sahu.

10.3 Any other relief(s), may also be given to the petitioner, which this Hon’ble Court may deem fit and proper in the facts and circumstances of the case.”

3. The facts of the case as emerges from the pleadings of the petition are that, the petitioner is the wife of one Ravi Sahu and is residing at Gandhi Nagar, Kalibadi, Raipur along with her three minor children. It is stated that the husband of the petitioner was implicated in a case under Section 20(B) of the NDPS Act on the allegation that contraband Ganja was found near his seat during a search conducted by the police on the



basis of secret information, though he was not in conscious possession of the same. It is further submitted that the husband of the petitioner has been convicted by the trial Court vide judgment dated 15.01.2026 and is presently in custody, against which a criminal appeal has already been preferred before this Court and is pending consideration.

It is the further case of the petitioner that despite she having no connection with the alleged offence, respondent No.3 – Station House Officer, Police Station Kotwali, Raipur has issued an impugned notice dated 14.03.2026 to the petitioner under Section 67 of the NDPS Act, requiring her to furnish information and appear before the police. According to the petitioner, the said notice has been issued without there being any material against her and is alleged to be arbitrary, without jurisdiction and issued only with an intention to harass the petitioner and her family members. Being aggrieved by the issuance of the said notice, the petitioner has preferred the present writ petition seeking its quashment and appropriate reliefs.

4. Learned counsel for the petitioner would submit that the impugned notice dated 14.03.2026 issued by respondent No.3 under Section 67 of the NDPS Act is wholly arbitrary, without jurisdiction and contrary to the settled principles of law. It is contended that the petitioner is neither an accused nor in any manner connected with the alleged offence registered against her husband and, therefore, issuance of such notice compelling her to appear before the police authorities is nothing but an abuse of process of law. It is further submitted that the husband of the petitioner has already been convicted by the trial Court and is presently



in custody, and his appeal is pending before this Hon'ble Court. In such circumstances, there is no justification on the part of the respondent authorities to issue notice to the petitioner, who is a housewife having three minor children dependent upon her, and who has no nexus with the alleged crime. Learned counsel would argue that the impugned action is actuated with mala fide intention and amounts to harassment of the family members of the accused.

Learned counsel for the petitioner would also submit that the power under Section 67 of the NDPS Act cannot be exercised in a routine and mechanical manner, particularly against a person who is not an accused, and in absence of any material indicating her involvement. It is contended that such action violates the fundamental rights of the petitioner guaranteed under Article 21 of the Constitution of India. On the aforesaid grounds, it is prayed that the impugned notice deserves to be quashed and appropriate directions be issued restraining the respondents from taking any coercive steps against the petitioner.

5. Per contra, learned State counsel would oppose the writ petition and submit that the impugned notice dated 14.03.2026 has been issued strictly in accordance with law and in exercise of powers conferred under Section 67 of the NDPS Act for the purpose of collection of information during investigation. It is contended that such notice is only for seeking relevant information and does not, by itself, amount to any coercive action against the petitioner.

Learned State counsel would further submit that the husband of



the petitioner, namely Ravi Sahu, is a habitual offender and there are as many as 55 criminal antecedents registered against him, which clearly reflects his continuous involvement in criminal activities. In that view of the matter, the authorities are justified in conducting a thorough investigation, including gathering information from persons closely connected with him, including the petitioner. It is also submitted that the notice issued to the petitioner cannot be termed as without jurisdiction, as the investigating agency is empowered to call for information from any person who may be acquainted with the facts and circumstances of the case. The petitioner, being the wife of the accused, is in a position to provide relevant information, and therefore, issuance of notice to her is neither arbitrary nor illegal. On these grounds, learned State counsel would submit that no interference is called for in exercise of writ jurisdiction under Article 226 of the Constitution of India and the petition deserves to be dismissed.

6. Having heard learned counsel for the parties and on perusal of the material available on record, this Court finds that the impugned notice dated 14.03.2026 has been issued by respondent No.3 in the course of enquiry in connection with an offence under the NDPS Act. For proper adjudication of the issue involved, it would be appropriate to reproduce the relevant statutory provisions.

“67. Power to call for information, etc.—

Any officer referred to in section 42 who is authorised in this behalf by the Central Government or a State Government may, during the course of any enquiry in connection with the contravention of any provision of this Act,—



(a) call for information from any person for the purpose of satisfying himself whether there has been any contravention of the provisions of this Act or any rule or order made thereunder;

(b) require any person to produce or deliver any document or thing useful or relevant to the enquiry;

(c) examine any person acquainted with the facts and circumstances of the case.

FORFEITURE OF ILLEGALLY ACQUIRED PROPERTY.

68A. **Application.**—(1) The provisions of this Chapter shall apply only to the persons specified in sub-section (2).

(2) The persons referred to in sub-section (1) are the following, namely:—

(a) every person who has been convicted of an offence punishable under this Act with imprisonment for a term of ten years or more;

(b) xxx

(c) xxx

(d) every person who is a relative of a person referred to in clause (a) or clause (b) or clause (c) or clause (cc);”

7. A conjoint reading of the aforesaid provisions would make it manifest that the empowered officer under the NDPS Act is vested with wide authority to call for information from any person who may be acquainted



with the facts and circumstances of the case. The scope of such power is not confined only to the accused, but extends to any person connected, directly or indirectly, with the person involved in the offence. Further, the scheme of Chapter V-A of the Act enlarges the ambit of enquiry to include not only the convicted person but also persons associated with him.

8. In the present case, it is not in dispute that the husband of the petitioner stands convicted under the NDPS Act and, as submitted by the learned State counsel, has as many as 55 criminal antecedents. In such a background, the investigating agency is justified in calling upon the petitioner to furnish information, she being closely associated with the convict. The impugned notice, therefore, cannot be said to be without jurisdiction or issued in an arbitrary manner.
9. This Court is of the considered opinion that the impugned notice is only a step in furtherance of enquiry/investigation and does not by itself entail any adverse civil consequences so as to warrant interference under Article 226 of the Constitution of India.
10. Accordingly, in view of the statutory mandate contained in Section 67 read with Section 68A(2)(a) and (d) of the NDPS Act, no case for interference is made out. The writ petition, being devoid of merit, is hereby **dismissed**. No order as to costs.

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

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