



2026:CGHC:14996-DB

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPCR No. 174 of 2026**

Deepak Kumar S/o Late Lekhachandra Gupta Aged About 26 Years R/o Village
Jatga, Post - Jatga, Tahsil - Podi - Uproda, District Korba Chhattisgarh

... Petitioner**versus**

1 - State Of Chhattisgarh Secretary, Department Of Home, Mantralaya,
Mahanadi Bhawan, New Raipur, District Raipur Chhattisgarh

2 - Director General Of Police Police Headquarters, Raipur, District Raipur
Chhattisgarh

3 - Superintendent Of Police Bilaspur, District Bilaspur Chhattisgarh

4 - Station House Officer Tarbahar, District Bilaspur Chhattisgarh

5 - Rishi Patel S/o Diwakar Patel Aged About 28 Years R/o Near Gaiyatri
Mandir, Vinobha Nagar, Police Station Tarbahar, District Bilaspur Chhattisgarh

---- Respondents

(Cause title taken from Case Information System)

For Petitioner	:	Mr. Bharat Lal Sahu, Advocate
For Respondents/State	:	Mr. Priyank Rathi, Govt. Advocate

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

Order on Board**Per Ramesh Sinha, C.J.****01/04/2026**

1. The present writ petition has been filed under Article 226 of the



Constitution of India by the petitioner seeking appropriate directions to the respondent authorities to register a First Information Report against respondent No. 5 on the basis of the complaint submitted by him, alleging commission of cognizable offences including criminal intimidation and mischief causing damage to property, and further alleging inaction and failure on the part of respondent Nos. 1 to 4 in discharging their statutory duty.

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

“10.1 This Hon’ble Court may kindly be pleased to directed the respondent no. 3 and 4 to call relevant records, pertaining to the instant matter.

10.2 This Hon’ble Court may kindly be pleased to Issue a writ of Mandamus or any other appropriate writ or direction, directing the Respondents No. 3 and 4 to forthwith register an FIR against Respondents No. 5 under appropriate sections of B.N.S. and to conduct a fair and proper investigation in accordance with law;

10.3 This Hon’ble Court may kindly be pleased to Direct the respondent authorities to provide adequate police protection to the petitioner to ensure his safety and security from the threats extended by Respondent No. 5 and his associates.

10.4 Any other relief, which this Hon’ble Court deems, fit in the facts and circumstances may also be granted in favor of the petitioner.”

3. Learned counsel for the petitioner would submit that despite the



petitioner having approached the concerned Police Station as well as the Superintendent of Police with a specific complaint disclosing commission of cognizable offences, the respondent authorities have failed to discharge their statutory obligation of registering an FIR, which action is wholly arbitrary, illegal and contrary to the settled principles of law. It is further submitted that respondent No. 5 has not only caused damage to the petitioner's property but has also extended repeated threats to his life, thereby creating a situation of constant fear and compelling the petitioner to leave Bilaspur and return to his native place. Learned counsel would contend that such inaction on the part of respondent Nos. 3 and 4 violates the petitioner's fundamental rights guaranteed under Article 21 of the Constitution of India, and therefore, this Hon'ble Court may be pleased to call for the relevant records, issue a writ of mandamus directing registration of FIR against respondent No. 5 under appropriate provisions of law and to ensure a fair investigation, as well as grant police protection to the petitioner for safeguarding his life and liberty.

4. Learned State counsel, on the other hand, has submitted that the grievance of the petitioner can be very well redressed before the Court below by filing an application under Section 156(3) or under Section 200 of the Cr.P.C. (now, under Section 175(3) or under Section 223 of Bharatiya Nagarik Suraksha Sanhita, 2023). He further submits that the controversy involved in the present matter has already been decided by the **High Court of Allahabad in Misc. Bench No. 24492 of 2020 : Waseem Haider Vs. State of U.P. Through Principal Secretary, Home Others** vide judgment and order dated 14.12.2020 as well as by



this Court in **WPCR No.333 of 2020 (Akhilesh Agrawal v. State of Chhattisgarh & Others)** decided on 12.04.2023, dismissing the said petition, hence, the present petition be also dismissed in terms of the said order.

5. Accordingly, the present writ petition is **dismissed** with liberty to the petitioners to avail the appropriate remedy before appropriate Forum.

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice

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