



2026:CGHC:17329-DB



2026:CGHC:17329-DB

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRMP No. 1068 of 2026

1 - Anil Kumar Patil S/o Late Vijay Kumar Patil Aged About 39 Years R/o Purani Basti, Ward No. 13, Krishna Grand City Road, Raja Talab, Kohka, Chowki Smriti Nagar, Thana Supela, Bhilai, District- Durg (C.G.)

2 - Smt. Kumari Bai Patil W/o Late Vijay Kumar Patil Aged About 56 Years R/o Purani Basti, Ward No. 13, Krishna Grand City Road, Raja Talab, Kohka, Chowki Smriti Nagar, Thana Supela, Bhilai, District- Durg, C.G. Originally R/o 562 (1), Ward No. 19, Bazaar Chowk, Sahaspur, District- Bemetara (C.G.)

... **Petitioners**

versus

1 - State of Chhattisgarh Through Secretary, Home Department Mahanadi Bhawan, New Raipur, District- Raipur (C.G.)

2 - Superintendent of Police District- Durg, S.P. Office, District- Durg, (C.G.)

3 - Incharge Smriti Nagar Police Chowki Smriti Nagar, Bhilai, District- Durg, C.G.

4 - Superintendent of Police District- Balodabazar Bhatapara, S.P. Office, District- Balodabazar Bhatapara, (C.G.)

5 - Town Inspector Thana Simga, District- Balodabazar Bhatapara, (C.G.)

6 - Smt. Madhuri Patil W/o Anil Kumar Patil Aged About 31 Years R/o Saket Nagar, Ward No. 13, Raja Garden Near Bhela Talab, Smriti Nagar, Supela, Bhilai, Thana Supela, District- Durg, C.G. Present Address - Village- Darchura, Thana Simga, District- Balodabazar Bhatapara, (C.G.)

... **Respondents**

For Petitioners : Mr. Ankit Swarnakar, Advocate

For Respondent/State : Mr. Nitansh Jaiswal, Dy. Govt. Advocate

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

Order on Board



Per Ramesh Sinha, Chief Justice

16.04.2026

1. Heard Mr. Ankit Swarnakar, learned counsel for the petitioners as well as Mr. Nitansh Jaiswal, learned Deputy Government Advocate, appearing for the State/respondent Nos. 1 to 5.
2. The present petition has been filed by the petitioners under Section 528 of the Bhartiya Nagrik Suraksha Sanhita with the following prayers :-

*“It is, therefore, humbly prayed that the Hon’ble Court may pleased to order as to quash the Charge-sheet and proceeding pending before the learned Court of J.M.F.C. Simga, District Balodabazar-Bhatapra, C.G. in case no. 1551/2025 bearing parties State of C.G. vs. Anil Kumar and another (**Annexure P-1**) (**Colly**) for the alleged offence u/s 85 of the B.N.S. by allowing this petition in the ends of justice.”*

3. From perusal of the prayers and pleadings made in the instant petition, it transpires that though the petitioners have prayed for quashing of the charge-sheet, but, have neither challenged the order taking cognizance nor have mentioned the date of order taking cognizance and have also not challenged the order framing charge, as the charges have already been, which goes to show that the prayer drafted by learned counsel for the petitioners is in a very casual manner and further wasted the precious time of the Court, as such, in the opinion of this Court, the prayer is defective one.



4. Accordingly, the instant petition is **dismissed** on this ground alone with liberty to file afresh petition with appropriate prayer, subject to depositing a sum of Rs.1,000/- as cost by the petitioners before the Registry of this Court and submit a receipt of the same at the time of filing of the fresh petition, if any, and the amount so deposited, if any, shall be transmitted to the Children Observation Home, Pulgaon, Durg (C.G.).

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

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