



2026:CGHC:14998-DB



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPHC No. 7 of 2026

Smt. Leela Bai Ogre W/o Late Punaram Ogre Aged About 56 Years Resident
Of Telibandha, Raipur P.S. Telibandha, District- Raipur (C.G.)

... Petitioner

versus

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

2 - The Collector Raipur District- Raipur (C.G.)

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

**4 - The Chairman Chhattisgarh State Women Commission Shastri Chowk
Raipur, District- Raipur (C.G.)**

**5 - The Superintendent Nari Niketan Shankar Nagar Raipur District- Raipur
(C.G.)**

**6 - Smt. Neeta Barle W/o Anoop Kumar Barle Resident Of Village - Mulle,
Police Station- Kurud Tahsil- Kurud, District- Dhamtari (C.G.)**

... Respondents

(Cause title taken from Case Information System)

For Petitioner	:	Mr. Krishna Kumar Dewangan, Advocate
For Respondents/State	:	Mr. Priyank Rathi, Govt. Advocate
For Respondent No.4	:	Mr. Ashutosh Singh Kachhawaha, Advocate



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

Order on Board

Per Ramesh Sinha, Chief Justice

01/04/2026

1. The present writ petition has been filed under Article 226 of the Constitution of India by the petitioner seeking issuance of appropriate writ for quashing of the order dated 12.03.2026 passed by respondent No.4 whereby the daughter of the petitioner namely Sunita Ogre was directed to be kept in the observation home of Nari Niketan Kendra, Raipur, and for her release, along with other consequential reliefs.
2. The present petition has been filed by the petitioner seeking the following reliefs:-

“10.1 That, this Hon’ble Court may kindly be pleased to call the records of the case from the respondent no. 4 & 5.

10.2 That, this Hon’ble Court may kindly be pleased to set-aside the order dated 12.03.2026 (Annexure P/1) and forthwith release the petitioner's daughter from observation cell of Nari Niketan Kendra.

10.3 That, this Hon’ble Court may kindly be pleased to direct the respondent no. 1 to take appropriate action against the respondents no. 4 & 5 for illegal detention of petitioner's daughter in observation cell of Nari Niketan Kendra. (8)



10.4 That, this Hon'ble Court may kindly be pleased to direct the respondent no. 1 to provide adequate compensation to the tune of Rs. 5 lakhs to the petitioner/ petitioner's daughter for illegal detention of petitioner's daughter in observation cell of Nari Niketan Kendra

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 costs of the petition may be given.”

3. The case of the petitioner, in brief, is that the petitioner is an elderly lady residing at Raipur and her daughter Sunita Ogr, who is a major and mentally fit lady, was living with her. It is alleged that respondent No.6 made a complaint before respondent No.4 alleging an illicit relationship between her husband and the daughter of the petitioner. Acting upon the said complaint, respondent No.4 summoned the concerned persons and thereafter passed an order dated 12.03.2026 directing that the petitioner's daughter be kept in the observation home of Nari Niketan Kendra, Raipur.

It is further the case of the petitioner that despite the fact that no criminal case has been registered against her daughter and no competent court has passed any detention order, she was kept in the observation home without any authority of law. It is submitted that even after compromise between the parties and applications being moved for release, the respondent No.5 did not release her. Hence, alleging illegal detention and violation of fundamental rights under Article 21 of the Constitution of India, the present petition has been preferred.



4. Learned counsel for the petitioner would submit that the impugned order dated 12.03.2026 is wholly without jurisdiction and contrary to law, as the respondent No.4 has no authority under the provisions of the Chhattisgarh Rajya Mahila Ayog Adhiniyam, 1995 to direct detention of a major woman in a Nari Niketan. It is contended that such detention amounts to gross violation of the fundamental rights guaranteed under Article 21 of the Constitution of India.

He would further submit that the petitioner's daughter is a major, mentally sound individual and is free to reside as per her own volition. It is argued that no FIR or criminal proceedings are pending against her and no preventive detention order has been passed by any competent authority. Therefore, the continued confinement of the petitioner's daughter in the Nari Niketan Kendra is illegal, arbitrary and liable to be set aside, and the petitioner is also entitled for compensation for such illegal detention.

5. Learned State counsel would submit that the action taken in the present case was pursuant to a complaint received by the Women Commission, and the authority acted in order to ensure safety and to address the grievance raised. It is submitted that the proceedings were undertaken in good faith and in furtherance of maintaining social order.

He would further submit that during the course of proceedings, the situation between the parties was assessed and necessary steps were taken accordingly. Learned counsel for the State has pointed out that the daughter of the petitioner namely Sunita Ogre has already



been released from the Nari Niketan Kendra on 30.03.2026. Therefore, it is contended that no further cause of action survives in the present petition.

6. Learned counsel appearing for respondent No.4 would submit that the order dated 12.03.2026 was passed in exercise of powers conferred upon the Commission to look into complaints relating to women and to take appropriate remedial measures. It is contended that the intention behind passing the said order was not punitive but protective in nature.

It is further submitted that the Commission acted on the basis of the complaint and circumstances presented before it, and there was no malafide intention. It is argued that since the petitioner's daughter has already been released, the petition has become infructuous and no further adjudication is required.

7. We have heard learned counsel for the parties and perused the material available on record.
8. Having heard learned counsel for the parties and upon perusal of the material available on record, it appears that the grievance of the petitioner pertains to the alleged illegal detention of her daughter in Nari Niketan Kendra pursuant to the order dated 12.03.2026 passed by respondent No.4. This Court takes note of the submission made by learned counsel for the State that the daughter of the petitioner namely Sunita Ogre has already been released from the Nari Niketan Kendra on 30.03.2026.



9. In view of the aforesaid development, the primary relief sought by the petitioner for release of her daughter does not survive for consideration. However, this Court observes that any authority exercising statutory powers must act strictly within the bounds of law and cannot curtail the personal liberty of a major individual except in accordance with due process established by law.
10. Accordingly, the writ petition is **disposed of** as having been rendered infructuous. No order as to costs.

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice

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