



2026:CGHC:15239-DB

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**CRMP No. 914 of 2026**

Rajesh Sharma S/o Prakash Sharma Aged About 31 Years Occupation- Advocate R/o Near Saroj Bhawan, Gudiari, Raipur, (CG) P.S.- Gudiari, District- Raipur (Cg)

... Petitioner**versus**

1 - State of Chhattisgarh Through The Station House Officer, Police Station- Gol Bazar, Raipur, District- Raipur (CG)

2 - Dhananjai Nandi S/o Late Harendra Nandi Aged About 31 Years R/o Maitri Sangh Gali, Shyama Prasad Mukherjee Ward, Kumharpara, Jagdalpur (Cg) P.S.- City Kotwali, District- Jagdalpur (CG) (Complainant)

... Respondents

For Petitioners	:	Mr. Ankit Singh, Advocate
For Respondent No.1/State	:	Mr. S.S. 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.****02.04.2026**

- 1 Heard Mr. Ankit Singh, learned counsel for the petitioner as well as Mr. S.S. Baghel, learned Government Advocate, appearing for the State/respondent No.1.
- 2 The present petition under Section 528 of BNSS has been preferred by the petitioners with the following prayers :-



“It is, therefore, prayed that this Hon’ble Court may kindly be pleased to quash and set-aside the impugned FIR dated 16.02.2026 (Annexure P-1) registered against the petitioner bearing Crime No. 0030/2016, registered at Police Station Gol Bazar, Raipur, District Raipur (C.G.) for the offences punishable under Sections 120-B, 420, 467, 468, 471 of IPC, in the interest of justice.”

- 3 Learned counsel for the petitioner submitted that the present FIR is wholly misconceived, vague, and without any basis against the petitioner. It is submitted that the petitioner has been implicated merely on the allegation that he was introduced as a Patwari and allegedly prepared certain documents, which is patently false, as the petitioner is a practicing Advocate and had been engaged by the complainant himself in revenue proceedings at Raipur in a professional capacity. The revenue proceedings and documents clearly demonstrate that the petitioner acted solely as an Advocate, and his name does not even appear once in the Tehsildar’s proceedings, establishing that he was not acting as any government official. It is further submitted that the alleged financial transactions largely pertain to two cheques of ₹20,00,000/- each, issued by co-accused Rahul Banik, which are already subject matter of separate proceedings under Section 138 of the Negotiable Instruments Act filed by the complainant’s mother (Complainant Case No. 563/2025 & 569/2025, ANNEXURE P/4), in which the petitioner has not been made an accused, thereby negating any liability or involvement. The FIR



itself records that co-accused Rahul Banik admitted liability and issued cheques towards repayment, clearly indicating that the dispute is purely civil and monetary in nature. It is also submitted that prior to the registration of the FIR, the petitioner along with co-accused Rahul Banik had lodged multiple complaints before senior police authorities regarding non-payment of ₹50,000/- and harassment by the complainant, and the co-accused had also approached this Hon'ble Court in WPCR No. 91/2026, which was disposed of with liberty under Section 175(3) BNSS. He lastly submitted that though certain amounts of ₹60,000/- and ₹90,000/- were routed through the petitioner's account, but immediately transferred to co-accused Rahul Banik and the petitioner has not retained any amount or derived any wrongful gain.

- 4 Per contra, learned State counsel submitted that the petition is misconceived and not maintainable. The FIR prima facie discloses cognizable offences, and the petitioner's alleged role in preparing documents or being introduced as a Patwari is a matter for investigation, which cannot be pre-judged at this stage. He further submitted that the pendency of civil or Section 138 NI Act proceedings does not bar criminal investigation, as held in ***State of Haryana v. Bhajan Lal, (1992) 1 SCC 335***. The routing of amounts through the petitioner's account and prior complaints lodged by him or co-accused are matters requiring inquiry. Interference at this stage would amount to pre-empting the investigation.



- 5 After hearing learned counsel for the parties and perusing the record, this Court finds that the petitioners are seeking quashing of the FIR on the basis that the petitioner acted in a professional capacity as an Advocate and was not involved in any wrongful gain.
- 6 The Court observes that the allegations in the FIR, including the preparation of certain documents and involvement in financial transactions, prima facie disclose cognizable offences. The petitioner's role and the facts alleged, including routing of amounts through his account, are matters requiring detailed investigation. The pendency of civil or Section 138 NI Act proceedings does not bar criminal investigation, as held by the Hon'ble Supreme Court in ***State of Haryana v. Bhajan Lal, (1992) 1 SCC 335***. At this stage, it is neither permissible nor appropriate to examine the merits or veracity of the allegations, and interference would amount to pre-empting the investigation.
- 7 Accordingly, in view of the above, the Court finds no ground to exercise its extraordinary jurisdiction and holds that the present petition is devoid of merit. The petition is, therefore, **dismissed**, allowing the investigation to proceed unhindered.

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice