



2026:CGHC:17040-DB

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****CRMP No. 1040 of 2026**

Surendra Pal Singh S/o Shri Kapil Dev Singh Aged About 50 Years R/o
Ward No. 15 Badan Singh Mohalla, Manendragarh District M C B
Chhattisgarh

... Petitioner**versus**

1 - State Of Chhattisgarh Through Police Station - Manendragarh
District M C B Chhattisgarh

2 - Dev Priya Ekka D/o Josheph Ekka Aged About 54 Years R/o Ward
No. 18, Civil Lines Manendragarh District M C B Chhattisgarh

... Respondents

(Cause-title taken from Case Information System)

For Petitioner	:	Ms. Sharmila Singhai, Senior Advocate assisted by Ms. Kanchan Kalwani, Advocate
For Respondent-State	:	Mr. Soumya Rai, Deputy Govt. Advocate

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

Order on Board

Per Ramesh Sinha, Chief Justice
15.04.2026

1. Heard Ms. Sharmila Singhai, learned Senior Counsel assisted by
Ms. Kanchan Kalwani, learned counsel for the petitioner as well
as Mr. Soumya Rai, learned Deputy Government Advocate,
appearing for the State/respondent No.1.



2. By filing the present petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS'), the petitioner has prayed for following relief(s) :-

"1. Hon'ble Court may kindly be pleased to quash the impugned First Information Report bearing crime no. 252/2019 registered at Police Station Manendragarh, District-M.C.B and also quash the impugned charge-sheet bearing no. 349-A/2025 dated 09.03.2025 for the offence punishable under Section 420,467,468,471, 120-B of Indian Penal Code, 1860 against the petitioner pending before the Judicial Magistrate First Class, Manendragarh, District-M.C.B (C.G.), in the interest of justice.

2. Hon'ble Court may kindly be pleased to quash the impugned order dated 12.03.2025 whereby the learned Judicial Magistrate First Class, Manendragarh has taken the cognizance on the charge-sheet dated 09.03.2025 submitted by the Police Station-Manendragarh, for the offence punishable under Section 420,467,468,471, 120-B of Indian Penal Code, 1860 against the petitioner, in the interest of justice.

3. Hon'ble Court may kindly be pleased to quash the impugned order dated 05.02.2026 whereby the Learned First Additional Session Judge Manendragarh has rejected the revision arising out of the order dated 05.01.2026 by which the Learned Judicial Magistrate First Class, Manendragarh has rejected the



application filed under section 239 Of The Cr.P.C by the petitioner for his discharge from the Section 420,467,468,471, 120-B of Indian Penal Code, 1860.

4. The Hon'ble Court may kindly be please to quashed the order dt. 19.03.2026 by which the learned trial court has framed the charges against the petitioner."

3. Learned Senior Counsel appearing for the petitioner submits that the entire prosecution case, as reflected from the impugned FIR, supplementary charge-sheet and the material collected during investigation, is fundamentally flawed and does not disclose the commission of any offence by the petitioner. It is contended that the petitioner has been falsely implicated merely on the basis of assumptions and conjectures, without there being any cogent or admissible evidence to connect him with the alleged acts of interpolation or manipulation in the revenue records. The continuation of criminal proceedings in such circumstances amounts to gross abuse of the process of law. It is further submitted that the undisputed documentary evidence on record, particularly the memo dated 09.07.2020 issued by the Deputy Collector and the communication dated 17.07.2020 by the Tehsildar, clearly establishes that at the relevant point of time when the alleged division (batankan) of Khasra No. 148 was carried out, the petitioner was not posted as Patwari of the concerned halka. Rather, it was one Sadashiv Mishra who was



holding the said post. Thus, the very foundation of the prosecution case—that the petitioner had manipulated the khasra and naksha by using his official credentials—is demonstrably false and stands belied by the official records themselves.

4. Learned Senior Counsel would further contend that despite such exculpatory material being available on record, the investigating agency, in a mechanical and arbitrary manner, has chosen to file a supplementary charge-sheet against the petitioner after a considerable lapse of time, initially showing him as absconding. It is argued that such belated implication of the petitioner, without any fresh incriminating material, reflects non-application of mind and renders the entire prosecution unsustainable in the eyes of law. It is also submitted that both the learned Trial Court as well as the Revisional Court have failed to appreciate the material on record in its proper perspective while rejecting the application under Section 239 Cr.P.C. and the revision thereagainst. The findings recorded therein are perverse and contrary to the settled principles governing discharge, inasmuch as the courts below have overlooked the unimpeachable documentary evidence which goes to the root of the matter and completely exonerates the petitioner from the alleged offences.
5. Learned Senior Counsel thus submits that even if the entire case of the prosecution is taken at its face value, no prima facie case is made out against the petitioner for the offences alleged under



Sections 420, 467, 468, 471 and 120-B of the IPC. Therefore, continuance of the criminal proceedings would result in grave miscarriage of justice and unnecessary harassment to the petitioner, warranting interference by this Court in exercise of its inherent jurisdiction under Section 528 of the B.N.S.S., 2023, for quashing of the impugned FIR, supplementary charge-sheet, cognizance order, and all consequential proceedings arising therefrom.

6. On the other hand, learned State counsel opposes the petition and submits that the present petition, seeking quashment of the FIR, supplementary charge-sheet, cognizance order as well as the orders passed by the courts below rejecting the discharge application, is devoid of merits and is liable to be dismissed. It is contended that the allegations levelled against the petitioner are serious in nature involving offences of cheating, forgery and criminal conspiracy, which have a direct bearing on public records and land transactions, and therefore require thorough adjudication on the basis of evidence led during trial. It is further submitted that during the course of investigation, sufficient material has been collected by the prosecution to prima facie establish the involvement of the petitioner in the alleged manipulation of revenue records. The supplementary charge-sheet has been filed only after due investigation and upon availability of incriminating material, and therefore, it cannot be said that the petitioner has been implicated without any basis. Learned State counsel would



contend that the veracity and reliability of the documents relied upon by the petitioner, including the communications issued by the revenue authorities, are matters of defence, which cannot be conclusively examined at this stage while exercising jurisdiction under Section 528 of the B.N.S.S., 2023. It is also submitted that the learned Trial Court as well as the Revisional Court have, after due consideration of the material available on record, rightly rejected the application for discharge filed by the petitioner, holding that a prima facie case is made out against him. The findings recorded by the courts below do not suffer from any perversity or illegality warranting interference by this Court in exercise of its inherent jurisdiction.

7. Learned State counsel thus submits that the scope of interference at the stage of quashing is limited, and this Hon'ble Court ought not to conduct a mini-trial or appreciate the evidence in detail. Since the allegations in the charge-sheet disclose commission of cognizable offences and there exists sufficient ground to proceed against the petitioner, the present petition deserves to be dismissed, leaving it open for the petitioner to raise all permissible defences before the trial court at the appropriate stage.
8. I have heard learned counsel for the parties at length and perused the material available on record.
9. From perusal of the charge-sheet, it transpires that the prosecution, after conducting a detailed and prolonged



investigation, has collected material indicating a systematic and concerted act of manipulation of revenue records pertaining to the land in question, involving multiple accused persons. The charge-sheet reflects that several individuals were found to have participated in the alleged acts of cheating, forgery and criminal conspiracy, and accordingly, charge-sheets have been filed against them from time to time, including a supplementary charge-sheet under Section 173(8) Cr.P.C. against the present petitioner. The material further discloses that the role of the petitioner, who was posted as Halka Patwari, came under scrutiny during investigation and prima facie evidence was found suggesting his involvement in the preparation and alteration of khasra and naksha, which allegedly resulted in overlapping and illegal sale of land.

10. It is also evident that the investigating agency has taken into account various aspects including documentary evidence, official records, and statements of concerned witnesses before filing the supplementary charge-sheet. The fact that the petitioner appeared before the authorities pursuant to anticipatory bail and that further proceedings were carried out in accordance with law, also indicates that due procedure has been followed. At this stage, the defence sought to be raised by the petitioner, particularly with regard to his posting and alleged non-involvement, pertains to disputed questions of fact which cannot be adjudicated upon in the present proceedings.



11. A careful consideration of the material placed on record further reveals that the learned Trial Court, while rejecting the application under Section 239 Cr.P.C., and the Revisional Court, while affirming the said order, have assigned cogent reasons and have recorded findings to the effect that a prima facie case exists against the petitioner. The said findings do not suffer from any patent illegality, perversity or jurisdictional error warranting interference by this Court in exercise of its inherent powers.
12. It is well settled that the inherent jurisdiction of this Court for quashing of criminal proceedings is to be exercised sparingly and with circumspection, and only in cases where the allegations, even if taken at their face value, do not disclose the commission of any offence or where the proceedings are manifestly attended with mala fide. In the present case, considering the nature of allegations and the material collected during investigation, it cannot be said that no offence is made out against the petitioner or that the proceedings are wholly untenable in law.
13. In view of the aforesaid, this Court is of the considered opinion that no case is made out for interference at this stage. The petition, being devoid of merits, deserves to be and is hereby **dismissed**.

Sd/-

(Ravindra Kumar Agrawal)
Judge

Sd/-

(Ramesh Sinha)
Chief Justice