



2026:CGHC:17043-DB



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRMP No. 1048 of 2026

Suraj Singh Makkad S/o Jogender Singh Makkad Aged About 46 Years
R/o Shikshak Nagar, Ambedkar Ward, Mungeli, Chhattisgarh

... **Petitioner**

versus

1 - State of Chhattisgarh Through Police Station Mungeli, Dist. Mungeli, Chhattisgarh

2 - Siddharth Baid S/o Late Ashok Kumar Baid Aged About 20 Years R/o Gandhi Ward Mungeli, Tahsil And District Mungeli, Chhattisgarh

3 - Leena Baid W/o Late Ashok Kumar Baid Aged About 54 Years R/o Gandhi Ward Mungeli, Tahsil And District Mungeli, Chhattisgarh

... **Respondents**

For Petitioner : Ms. Indrapreet Kaur Chhabra, Advocate

For Respondent No.1/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, Chief Justice

15.04.2026

1. Heard Ms. Indrapreet Kaur Chhabra, learned counsel for the petitioner as well as Mr. Priyank Rathi, learned Government Advocate, appearing for the State/respondent No.1.
2. The present petition under Section 528 of the Bhartiya Nagarik Suraksha Sanhita (for short, 'BNSS') has been filed by the



petitioner with the following prayers :-

"I. That, the Hon'ble Court may kindly be pleased to allow the instant petition under section 528 of B.N.S.S. 2023 filed by the petitioner.

II. That, Hon'ble Court may kindly be pleased to quash the F.I.R bearing No. 96/2025 registered on dated 20.03.2025 at police station City Kotwali Mungeli, Dist. Mungeli (Annexure P-1) filed under section 318(4), 308(2), 3(5), 61 and 111 of BNS.

III. That, Hon'ble Court may kindly be pleased to quash entire charge sheet bearing No. 251/2025 filed on dated 03/07/2025 along with final report before learned Chief Judicial Magistrate, District Mungeli (C.G.) (Annexure P-1) filed under section 318(4), 308(2), 3(5), 61 and 111 of BNS.

IV. That, Hon'ble Court may kindly be pleased to quash impugned order dated 12/01/2026 (Annexure P-2) whereby the learned Chief Judicial Magistrate, Mungeli Dist. Mungeli (C.G.) has taken cognizance of the impugned charge sheet and registered the impugned criminal proceeding as Criminal Case No. 30/2026 against the petitioner and any subsequent orders.

V. That, the Hon'ble Court may kindly grant any other reliefs in favour of the petitioner, which the Hon'ble Court deems fit & just in the facts and circumstances of the case, in the interest of justice."

3. Brief facts of the case are that a written complaint was filed by Respondent No. 2 at Police Station Mungeli, District Mungeli (Chhattisgarh), alleging that he was acquainted with Nehal Singh Sandhu, Ayush Shriwas, and Gurvinder Singh Laddu, who were



associated with Black Hole Event Company. On their assurance of good profits, and further persuasion by acquaintances including Ayush Thakur, Ayush Pratap Singh @ Sameer Thakur, and Raju Sahu, the complainant invested money in an event organized by the company. However, after the event, the accused persons claimed heavy losses and subsequently began demanding money from the complainant, allegedly resorting to threats and intimidation, including use of a knife, and coercing him into executing certain sale deeds. It is further alleged that in October 2024, the complainant was forcibly taken near Swarn Vatika, Mungeli, where he was threatened with a sharp-edged weapon and forced to communicate with alleged members of the Laurence Bishnoi gang under threat to his life and family. During this period, the accused persons, including Suraj Makad (the petitioner herein) and others, allegedly compelled Respondents No. 2 and 3 to execute sale deeds of their lands at undervalued prices and withdrew substantial amounts of money from their bank accounts through coercion, including misuse of cheques amounting to approximately ₹4 crores, purportedly using forged signatures. The complaint further states that lands belonging to Respondents No. 2 and 3 situated in Village Bandhamuda and Village Chatarkhar, District Mungeli, were illegally taken over, and continued pressure was exerted on them to transfer remaining funds from their bank accounts. Consequently, the complainant approached Axis Bank and IDBI Bank to freeze the accounts. It is also alleged that on



03/01/2025, one Pradeep Singh again forcibly obtained the complainant's signature on a sale deed concerning land that had already been sold earlier, thereby indicating continued coercion and criminal intimidation by the accused persons.

4. Learned counsel for the petitioner submits that the present case has been falsely and maliciously instituted by the complainant (Respondent No. 2) to evade the consequences of a lawful transaction and to convert a purely civil dispute into a criminal proceeding. It is contended that the petitioner had purchased the subject lands bearing Khasra No. 32/3 and Khasra No. 58/3 through duly executed and registered sale deeds dated 24.12.2024 and 21.01.2025 respectively, in the presence of the Sub-Registrar. The entire sale consideration, amounting to ₹6,00,000/- and ₹11,00,000/- respectively, was paid through legitimate banking channels (RTGS), which is duly reflected in the charge-sheet and supported by documentary evidence. The consideration paid was in fact higher than the prevailing market value, thereby negating any allegation of coercion or undue influence. It is further submitted that the complainant had voluntarily executed the sale deed and received the consideration without raising any objection at the relevant time before the competent authority. The subsequent allegations of force, threat, and coercion are afterthoughts, made with mala fide intent to create a dispute over the said properties and to avoid losses allegedly suffered in a separate business venture. It is also



highlighted that civil suits bearing Case No. 34A/2025 and 06A/2025 are already pending before the competent Civil Court at Mungeli concerning the same properties, clearly demonstrating that the dispute is civil in nature. She also submitted that this Court has also been pleased to grant anticipatory bail to the petitioner in MCRC No. 529/2025, taking note of the pendency of the civil dispute. Learned counsel further submits that there are material contradictions in the statement of the complainant recorded under Section 180 BNSS as compared to the original written complaint, which casts serious doubt on the veracity of the allegations. Moreover, despite the allegation of threat at knife-point, no such weapon has been recovered from the petitioner, further weakening the prosecution's case. It is argued that the petitioner has been wrongly implicated and that the continuation of criminal proceedings would amount to an abuse of the process of law.

5. On the other hand, learned State counsel vehemently opposes the submissions advanced on behalf of the petitioner and submits that the allegations against the petitioner and co-accused disclose serious cognizable offences involving criminal conspiracy, extortion, cheating, and criminal intimidation. It is contended that the complaint, supported by statements of the victims and material collected during investigation, clearly establishes that the respondents were subjected to coercion, threats to life, and intimidation, including being forced to execute sale deeds of their



valuable lands at undervalued prices. The mere execution of registered sale deeds and transfer of consideration through banking channels does not, by itself, rule out the possibility of such transactions being carried out under duress. Learned State counsel further submits that the investigation has revealed that the complainant and Respondent No.3 were continuously threatened by the accused persons, including by invoking the name of a notorious criminal gang, and were compelled to part with their property as well as substantial amounts of money. The existence of a civil dispute or pendency of civil suits does not bar criminal prosecution where the ingredients of criminal offences are prima facie made out. It is well settled that civil and criminal proceedings can proceed simultaneously where the acts complained of constitute both civil wrongs and criminal offences. It is also argued that the contradictions pointed out by the petitioner are matters of trial and cannot be adjudicated at this stage. The absence of recovery of a weapon is not fatal to the prosecution case when there is consistent evidence of threats and coercion. He lastly submits that considering the gravity of the allegations, the manner in which the offences have been committed, and the possibility of influencing witnesses or tampering with evidence, no interference is warranted and the petition deserves to be dismissed.

6. Upon hearing learned counsel for the parties and perusing the material available on record, this Court finds that the allegations



levelled against the petitioner and co-accused are grave and disclose the commission of serious cognizable offences, including criminal intimidation, extortion, and conspiracy. The complaint and the statements recorded during the course of investigation *prima facie* indicate that the complainant and Respondent No. 3 were subjected to threats and coercion, and were compelled to execute sale deeds and part with substantial amounts of money. At this stage, the contention of the petitioner that the transactions were purely voluntary and civil in nature cannot be conclusively accepted.

7. It is well settled that the pendency of civil proceedings does not bar criminal prosecution where the allegations involve criminal acts. In ***State of Haryana v. Bhajan Lal (AIR 1992 SC 604)***, the Supreme Court observed that the Court should not interfere in the exercise of power under Section 482 CrPC unless the allegations are wholly untenable or constitute abuse of process. Similarly, in ***Tukaram S. Dighole v. State of Maharashtra (2010 4 SCC 329)***, the Supreme Court held that civil remedies do not oust criminal remedies when the act complained of also constitutes a cognizable offence.
8. This Court is also of the considered view that the mere execution of registered sale deeds and transfer of consideration through banking channels does not, by itself, negate the allegations of coercion and criminal intimidation, particularly when the prosecution has placed material suggesting otherwise. The



pendency of civil suits between the parties with respect to the same properties does not preclude criminal proceedings where *prima facie* ingredients of criminal offences are made out. The submissions regarding contradictions in the complainant's statements and absence of recovery of weapon are matters which require appreciation of evidence and cannot be adjudicated in these proceedings.

9. In view of the aforesaid, and considering the seriousness of the allegations and the material collected during investigation, this Court finds no ground to interfere. The petition, being devoid of merit, is accordingly **dismissed**.

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice