



2026:CGHC:20599-DB



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****CRMP No. 1230 of 2026**

Vikash Kumar Gupta Son Of Sanjay Gupta Aged About 33 Years
Resident Of Pahadi Para, Gondwara Road, Near Sai Mandir, Gudhiyari,
P.S. Gudhiyari District Raipur Chhattisgarh

... Petitioner(s)**versus**

- 1.** State of Chhattisgarh Through Its Secretary, Department of Home,
Mahanadi Bhavan, Atal Nagar, Naya Raipur, District Raipur
(Chhattisgarh)
- 2.** The Director General of Police Police Department New Raipur,
District Raipur Chhattisgarh
- 3.** Superintendent of Police Mahasamund, District Mahasamund
Chhattisgarh
- 4.** Station House Officer Police Station Patewa District Mahasamund
Chhattisgarh
- 5.** Sourabh Lodhi Son of Yogesh Lodhi Aged About 28 Years
Resident of Patewa Police Station Patewa District Mahasamund
Chhattisgarh

...Respondent(s)

(Cause-title taken from Case Information System)



For Petitioner : Mr. Bharat Lal Sahu, Advocate.
For Respondent/State : Mr. Sourabh Sahu, Panel Lawyer.

Hon'ble Shri Ramesh Sinha, Chief Justice

Hon'ble Shri Ravindra Kumar Agrawal, Judge

Order on Board

Per Ramesh Sinha, Chief Justice

04.05.2026

1. Heard Mr. Bharat Lal Sahu, learned counsel for the petitioner. Also heard Mr. Sourabh Sahu, learned Panel Lawyer, appearing for the State/respondents No. 1 to 4.
2. The present petition has been filed by the petitioner with the following prayers:

"1. That, Hon'ble Court may kindly be pleased to allow the instant petition under Section 528 of BNS 2023 filed by the petitioner, in the interest of justice.

2. That, Hon'ble Court may kindly be pleased to quash the charge-sheet dated 01.03.2026 FIR bearing No. 14 of 2026 registered on dated 27.01.2026 at Police Station Patewa, District Mahasamund Chhattisgarh filed under Section 331(3), 305(A), 317(2), 3(5) of BNS against the petitioner in the interest of justice.

3. That, Hon'ble Court may kindly be pleased to quash entire charge-sheet dated 01.03.2026 before learned Judicial Magistrate First Class Mahasamund, District Mahasamund Chhattisgarh under Section 331(3), 305(A), 317(2), 3(5) of BNS against the petitioner in



the interest of justice.

4. That, Hon'ble Court may kindly be pleased to quash cognizance dated 24.03.2026 taken by the learned Judicial Magistrate First Class Mahasamund, District Mahasamund Chhattisgarh, in the interest of justice.

5. That, Hon'ble Court may kindly be pleased to quash entire criminal proceeding of Criminal Case No. 1809 of 2026 pending before the learned Judicial Magistrate First Class Mahasamund, District Mahasamund Chhattisgarh against the petitioner, in the interest of justice.

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

3. Learned counsel appearing for the parties submit that the issue involved in this petition has already been considered and decided by this Court vide judgment dated **01.05.2026** in **CRMP No. 1221 of 2026**, whereby this Court has held as under:-

"8. In view of the aforesaid facts and circumstances, particularly considering that the charge-sheet has already been filed and cognizance has been taken by the learned trial Court, and further that during the course of investigation seizure of gas cylinders has been effected in connection with the alleged offence, forming part of the material on record, this Court is not inclined to exercise its inherent jurisdiction for quashing of the impugned FIR and criminal proceedings. The submissions of the petitioner regarding false implication, absence of recovery from



his possession, and multiplicity of cases involve disputed questions of fact which cannot be adjudicated at this stage and are required to be tested during trial on the basis of evidence. At this juncture, the material collected by the prosecution discloses a prima facie case against the petitioner, and therefore, no case for interference is made out. Accordingly, the present petition, being devoid of merits, deserves to be and is hereby dismissed.”

They further submit that since the facts and issue involved in the present petition is identical to that of **CRMP No. 1221 of 2026**, this petition may also be dismissed in the same terms.

4. Having considered the rival submissions made by learned counsel for the parties and having gone through the materials on record, it is evident that the facts and issue involved in this petition is identical to **CRMP 1221 of 2026**, this Court deems it appropriate not to take a view other than what has been taken in **CRMP 1221 of 2026**.

5. Accordingly, the present petition is **dismissed** in terms of the order dated 01.05.2026 passed in **CRMP 1221 of 2026**.

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice