



2026:CGHC:23517-DB



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRMP No.1489 of 2026

Dwarka Das Bhootda S/o Bhikham Chand Bhootda Aged About 83 Years (Wrongly Mention As Dwarika In Trial Court In Special P.C. Session Case No.03/2026 As Well As Prosecution Document), R/o- Kranti Nagar Bilaspur, Tahsil And District- Bilaspur (C.G.) (Permanent R/o- Chandan Birhi, Gunderdehi, District Durg (C.G.)- Which Not Applicable)

... Petitioner

versus

State Of Chhattisgarh Through Police Station State Economic Offences Wings And Anti-Corruption Bureau Raipur, District- Raipur (C.G.) The Then State Economic Offences Wings And Anti-Corruption Bureau Bhopal, District- Bhopal (M.P.)

... Respondent

(Cause title taken from CIS)

For Petitioner(s) : Shri Ratnesh Kumar Agrawal, Advocate

For Respondent(s) : Shri Shashank Thakur, Additional AG

Hon'ble Shri Ramesh Sinha, Chief Justice

Hon'ble Shri Bibhu Datta Guru, Judge

Order on Board

Per Ramesh Sinha, Chief Justice

02.06.2026

1. Heard Mr. Ratnesh Kumar Agrawal, learned counsel for the petitioner as well as Mr. Shashank Thakur, learned Additional



Advocate General, appearing on behalf of the State.

2. The present petition has been filed by the petitioner with the following relief(s):-

“10.1 That, this Hon'ble Court may kindly be please to allow the petition and quash the followings is in the interest of justice:-

(i) Registration of FIR No.44/1995 dated 06.09.1995 registered by Respondent against the petitioner under punishable offence under section 13(1)(e) & 13(2) of Prevention of Corruption Act 1988 (Annexure-P/1).

(ii) Charge-sheet no.34/2024 dated 17.12.2024 prepared by respondent against the petitioner (Annexure P/2).

(iii) Order dated 03.05.2025 whereby learned Special Judge Prevention of Corruption Act Bilaspur, District Bilaspur (C.G.) in Special P. C. Session Case No. 03/2026 between "State of Chhattisgarh Vs. Dwarika Das Bhootda" taken cognizance of punishable offence under section 13(1)(e), 13(2) of Prevention of Corruption Act 1988 (Annexure P/3).

(iv) On 21.04.2026 learned Special Judge Prevention of Corruption Act Bilaspur District Bilaspur (C.G.) framed the charges against the petitioner punishable offence under Section 13(1)(e) & 13(2) of Prevention of Corruption Act (Annexure-P/4).

3. Learned counsel for the petitioner submits that the entire criminal proceedings arising out of FIR No.44/1995 dated 06.09.1995 registered against the petitioner for the offence punishable under



Section 13(1)(e) & 13(2) of the Prevention of Corruption Act, 1988

is per se in eye of law and the charge sheet No.34/2024 dated 17/12/2024 prepared by the respondent against the petitioner are taken at their face value and accepted in their entirety, do not constitute the alleged offence. It is vehemently argued that the offence has been registered against the petitioner is from the period 01.01.1976 to 13.09.1995. It is contended that though the prosecution sanction has been granted by the State of Chhattisgarh on 13.10.2020, but the charge sheet was prepared on 17.12.2024 and was filed before the competent Court on 03.05.2025 and cognizance has been taken on the same day. It is submitted that the petitioner, who was retired from service and as on date, he is 83 years old and the only allegation against the petitioner is that he has earned disproportionate assets from the known sources of income. It is further submitted that 30 years have lapsed towards taking of cognizance in the matter and the prosecution of the petitioner in the present matter is a futile exercise and hence, the same be quashed and there is no explanation given by the Investigating agency as to why the investigation has been kept pending for such a long period and the charge sheet was submitted on 03.05.2025.

4. On the other hand, learned State counsel submitted that though there is a delay in filing the charge sheet against the petitioner, but charges have been framed against the petitioner and discharge application has already been rejected and



disproportionate assets from the known sources of income was found to be 303.45% (i.e. Rs.43,38,887/-), as revealed from the order passed by the competent authority on 13.10.2020 with regard granting sanction of prosecution against the petitioner, therefore, the petition is liable to be dismissed.

5. From perusal of the FIR, it transpires that the allegation against the petitioner is that he accumulated disproportionate assets to the tune of Rs.43,38,887/- which was 303.45% above the expenses as shown by the petitioner. Though the offence pertains to the year 1995, however, the investigation has been completed, charge sheet has been filed on 17.12.2024, and from perusal of the materials available on record, prima facie it goes to suggest that there are materials against the petitioner. The charge sheet further discloses that the petitioner has not only purchased assets in his own name but had also purchased various assets in the name of his children and wife. There are various shares and debentures purchased in the name of family members of the petitioner.
6. Reliance placed by learned counsel for the petitioner on the decision of the Apex Court in ***Robert Lalchungnunga Chongthu @ R.L.Chongthu v. State of Bihar*** {2025 INSC 1339}, is of no assistance as the facts of the present case is distinguishable. In the said case, the appellant therein was named in the charge sheet after 15 years and some of the co-accused persons had



been acquitted by the Patna High Court. Whereas, in the present case, though the FIR was lodged way back in the year 1995, but the investigation has already been concluded on 17.12.2024 and the allegations are also grave in nature relating to financial offence.

7. As such, in view of the submissions advanced on behalf of the parties as also considering the totality of the facts and circumstances of the case, this Court is of the considered opinion that as the discharge application filed by the applicant has been rejected by the learned trial Court, it would not be proper to quash the proceedings against the petitioner at this stage as well as the impugned orders passed by the learned trial Court dated 03.05.2025 and 21.04.2026. The orders passed by the learned trial Court does not suffer from any illegality, infirmity or jurisdictional error. As the trial has to be brought to its logical end, the trial Court concerned is directed to conclude the trial within a period of six months, strictly in accordance with law, without granting unnecessary adjournments to either parties, if there is no legal impediment.
8. With the aforesaid observations and directions, the petition stands **disposed of**. No order as to costs.

Sd/-
(Bibhu Datta Guru)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice