



CGHC010235072026

2026:CGHC:29519-DB

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPCR No. 377 of 2026

Kishore Sahu S/o Ishwari Sahu Aged About 36 Years Occupation Constable R/o Sakarra Police Station And Tahsil Malkharouda District-Sakti (C.G.)

... **Petitioner(s)**

versus

1 - State Of Chhattisgarh Through Secretary, Department Of Home/police Station S.H.O. Jutemill, District- Raigarh (C.G.)

2 - State Of Chhattisgarh Through Secretary, Department Of Home/police, Mantralaya, Mahanadi Bhawan, Nava Raipur, (C.G.)

... **Respondent(s)**

(Cause title taken from Case Information System)

For Petitioner(s) : Mr. Shyam Monohar, Advocate, through VC along with Mr. Ghanshyam Sharma, Advocate.

For Respondent(s) : Mr. Ashish Shukla, Addl. Advocate General.

Hon'ble Shri Ramesh Sinha, Chief Justice

Hon'ble Shri Ravindra Kumar Agrawal, Judge

Order on Board

Per Ramesh Sinha, Chief Justice

13/07/2026

1. Heard Mr. Shyam Manohar, appearing through video conferencing, along with Mr. Ghanshyam Sharma, learned counsel for the petitioner. Also heard Mr. Ashish Shukla, learned Additional Advocate General, appearing for the respondent-State.



2. The petitioner has filed the present writ petition under Article 226 of the Constitution of India seeking the following reliefs:

“(i) That this Hon'ble Court may kindly be pleased to Set aside//quash the impugned order/charge framing order by the Ld. Trial Court qua the present petitioner vide dated 10.12.2024.

(ii) That this Hon'ble Court may kindly be pleased to stop the ongoing criminal proceeding qua the present petitioner in the above-mentioned FIR.

(iii) That this Hon'ble Court may also kindly be pleased to grant any other relief deemed fit in the facts and circumstances of the case to the.”

3. On 10.07.2026, when the matter came up for hearing before this Court, it was found that the present petition has been filed substantially on the same cause of action which has already been adjudicated by this Court in CRMP No. 1066/2026 vide order dated 16.04.2026. The learned counsel for the petitioner, who is appearing in the present writ petition, had also argued the said CRMP No. 1066/2026, and this Court has dismissed the said petition.

4. It is also relevant to notice here that the relief claimed by the petitioner in CRMP No. 1066/2026 is as under:-

"A. Quash the FIR No. 381/ 2024, dated 28.08.2024 P.S. Jutmil qua the present petitioner (Annexure P/1),

B. Quash the Chargesheet bearing



No.361/2024 dated 18.10.2024 qua the present petitioner (Annexure P/2).

C. Quash the cognizance taken by the Ld. trial court qua the present petitioner.

D/Quash the charge framing order dated 10.12.2024 of the Ld. Trial Court qua the present petitioner (Annexure P/6),

E. Quash the ongoing criminal proceeding qua the present petitioner in the above-mentioned FIR.; and grant any other relief to the petitioner as may be deemed fit and proper in the given facts and circumstances of the case, in the interest of justice."

5. Against the said dismissal of the petition in CRMP No. 1066/2026 vide order dated 16.04.2026, the petitioner approached the Hon'ble Supreme Court by filing SLP (CrI.) No. 9276/2026, which was dismissed vide order dated 25.05.2026 (Annexure P/7).

6. On 10.07.2026, learned counsel appearing for the petitioner was directed to explain as to why the matter should not be referred to the State Bar Council for examining whether he had acted in accordance with his professional obligations while advising and instituting the present proceedings and as to why cost should not be imposed upon him for filing a second petition on the same cause of action.

7. At this stage, Mr. Shyam Manohar, learned counsel for the petitioner, submitted that in the earlier petition, quashing of the FIR, charge-sheet, order taking cognizance by the learned trial Court, including the order framing charge dated 10.12.2024, was under



challenged, whereas in the present petition, he is only challenging the order framing charge dated 10.12.2024 and tried to justify the filing of the present petition for same cause of action but, the explanation given is not at all convincing. It amounts to misuse of the process of law. Further, he has tendered his oral unconditional apology for filing the present petition. Therefore, he prayed that he may be permitted to withdraw the present writ petition.

8. We have heard learned counsel for the petitioner and perused the documents annexed with the petition.

9. Since, Mr. Shyam Manohar, learned counsel for the petitioner is tendering his oral unconditional apology, we deem it appropriate not to refer the matter to the State Bar Council for further examining the matter. However, considering the fact that the petitioner has already persued his grievance in CRMP No. 1066/2026 on the same cause of action, which has been dismissed by this Court vide order dated 16.04.2026, and the said order dated 16.04.2026 has also been affirmed by the Hon'ble Supreme Court vide its order dated 25.05.2026 passed in SLP (Crl.) No. 9276/2026, and the same counsel who is appearing in the present writ petition had also appeared for the petitioner in CRMP No. 1066/2026 as well as before the Hon'ble Supreme Court in SLP (Crl.) No. 9276/2026, yet he filed the present writ petition on the same cause of action against the order dated 10.12.2024, which was already the subject matter in CRMP No. 1066/2026.



10. Therefore, we deem it appropriate to permit the petitioner to withdraw the present writ petition, subject to depositing a sum of Rs. 50,000/- as cost but learned counsel for the petitioner repeatedly submits that the exemplary cost to be imposed may be exempted or suitably reduced. Considering the aforesaid fact, we reduce the exemplary cost from Rs. 50,000/- to Rs. 25,000/-. Accordingly, the petitioner shall deposit a sum of Rs. 25,000/- as cost in the Registry of this Court within a period of four weeks from today for wasting the precious time of the Court, and the said amount shall be transmitted to the Government Specialized Adoption Agency, District Sakti (C.G.). If the said amount is not deposited within the aforesaid period, the same shall be recovered as arrears of land revenue by the Registrar General of this Court in accordance with law.

11. Let a copy of this order be placed before the Registrar General of this Court for necessary information and compliance.

Sd/-

(Ravindra Kumar Agrawal)
Judge

Sd/-

(Ramesh Sinha)
Chief Justice