



CGHC010252612026

2026:CGHC:27632-DB
NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPCR No. 356 of 2026**

Trilochan Das S/o Jhitku Das Aged About 62 Years R/o Village Kewali,
Block Kharsia, Police Out Post Jobi, P.S. Kharsia, Distt. Raigarh,
Chhattisgarh.

... Petitioner**versus**

1 - State Of Chhattisgarh Through The Secretary, Department of Home,
Mantralaya, Capital Complex, Mahanadi Bhawan, New Raipur, Distt.
Raipur, Chhattisgarh.

2 - Director General of Police Head Quarter, Indrawati Bhawan, Naya
Raipur, Distt. Raipur, Chhattisgarh.

3 - The Inspector General of Police Bilaspur, Distt. Bilaspur, Chhattisgarh.

4 - The Superintendent of Police Raigarh, Distt. Raigarh, Chhattisgarh.

5 - Station House Officer P.S. Kharsia, Distt. Raigarh, Chhattisgarh.

6 - In-Charge Officer Police Outpost Jobi, P/s Kharsia, Distt. Raigarh,
Chhattisgarh.

7 - Chhat Ram Patel S/o Mukut Ram Aged About 55 Years R/o Village
Botalda (Khorsipali), P/s Kharsia, Distt. Raigarh, Chhattisgarh.

... Respondents

(Cause-title taken from Case Information System)

For Petitioner	: Mr. Bharat Lal Sahu, Advocate
For Respondents-State	: Mr. Shaleen Singh Baghel, Government Advocate

Hon'ble Shri Ramesh Sinha, Chief Justice**Hon'ble Shri Ravindra Kumar Agrawal, Judge****Order on Board****Per Ramesh Sinha, Chief Justice****06.07.2026**

1. Heard Mr. Bharat Lal Sahu, learned counsel for the petitioner as well as Mr. Shaleen Singh Baghel, learned Government Advocate, appearing on behalf of the State/respondents.



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 pleased to call for the record for the respondents with regard to action taken by the respondents on the complaint of the petitioner.

10.2 That, this Hon'ble Court may kindly be pleased to quash/set-aside the action of respondent no.6, whereby the petitioner's complaint was treated under section 155 of CrPC and closed without registration an FIR.

10.3 That, this Hon'ble Court may kindly be pleased to direct the concern police authority to reconsider the petitioner's complaint strictly in accordance with law and, if cognizable offences are disclosed, register an FIR and conduct a fair, impartial and expeditious investigation, in the interest of justice.

10.4 That, any other relief which the Hon'ble Court may deemed fit and proper also be granted to the petitioner, in the interest of justice.”

3. Learned counsel for the petitioner submits that the petitioner, being a law-abiding citizen, has approached this Court aggrieved by the arbitrary, illegal and unjustified refusal of the police authorities to register an FIR on the basis of his written complaint dated 04.05.2026 submitted before Police Outpost Jobi, Police Station Kharsia, District Raigarh, wherein the petitioner had specifically disclosed commission of cognizable offences by respondent No.7. It is submitted that despite the complaint clearly revealing allegations



constituting cognizable offences, the respondent-police authorities failed to perform their statutory duty and, instead of registering an FIR in accordance with law, illegally treated the matter as a non-cognizable case under Section 155 CrPC and closed the complaint without conducting any lawful investigation.

4. According to learned counsel, such action on the part of the police authorities is wholly arbitrary, unreasonable and contrary to the settled legal position governing mandatory registration of FIR where information discloses commission of a cognizable offence. It is further submitted that after the police failed to act on the petitioner's complaint, respondent No.7, with mala fide intention and in order to pressurize and intimidate the petitioner, caused a legal notice dated 01.06.2026 demanding recovery of money, which is nothing but a counterblast to the complaint lodged by the petitioner. Learned counsel would contend that the inaction of the police authorities and their illegal closure of the complaint, coupled with the subsequent conduct of respondent No.7 in issuing the said legal notice, has resulted in serious prejudice to the petitioner and amounts to violation of the petitioner's legal and constitutional rights guaranteed under Articles 19 and 21 of the Constitution of India, thereby compelling him to invoke the extraordinary writ jurisdiction of this Court seeking appropriate directions for registration of FIR and fair investigation in accordance with law.
5. Learned State counsel, on the other hand, has submitted that the grievance of the petitioner can be very well redressed before the



Court below by filing an application under Section 156(3) or 200 of the Cr.P.C.(now, under Section 175(3) or under Section 223 of Bharatiya Nagarik Suraksha Sanhita, 2023). He further submits that the controversy involved in the present matter has already been decided by the ***High Court of Allahabad in Misc. Bench No. 24492 of 2020 : Waseem Haider vs. State of U.P. Through Principal Secretary, Home Others*** vide judgment and order dated ***14.12.2020*** as well as by this Court in ***WPCR No. 333 of 2020 (Akhilesh Agrawal vs. State of Chhattisgarh & Others)*** decided on ***12.04.2023***, dismissing the said petition, hence, the present petition be also dismissed in terms of the said order.

6. Accordingly, the present writ petition is **dismissed** with a liberty to the petitioner to avail the appropriate remedy before appropriate Forum.

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice