



HIGH COURT OF CHHATTISGARH AT BILASPUR

CRMP No. 1973 of 2025

1. Dharamveer Sharma S/o Late B.R. Sharma, Aged About 71 Years, R/o Behind Jain Temple, Vidyut Nagar, Durg, District- Durg (C.G.)

... Petitioner

versus

1. State Of Chhattisgarh Through The Collector, District- Raipur (C.G.).
2. Ashok Kumar Dubey S/o Late Shivnarayan Dubey Aged About 67 Years R/o New Rajendra Nagar, Raipur, Tahsil And District- Raipur (C.G.).
3. Shri Ganpatram Yadav Advocate (Notary) Aged About 55 Year, Raipur, District- Raipur (C.G.).
4. Shikha Sharma D/o Shri Dharamveer Sharma Aged About 40 Years R/o Behind Jain Temple, Vidyut Nagar, Durg, District- Durg (C.G.)

... Respondent

Order Sheet

26/06/2025	Mr. B.P. Sharma, Advocate for the Petitioner. Ms. Pragya Shrivastava, Dy.G.A. for the State. Heard on admission. Admit. Also heard on I.A. No. 01/2025, which is an application for grant of ad-interim relief. Upon the complaint of Ashok Kumar Dubey,
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father-in-law (समधी) of the petitioner, the Judicial Magistrate First Class (JMFC), Raipur, took cognizance of the complaint and vide order dated 03.06.2025, directed the registration of the complaint under Section 420, 467, 468, 471, 120(B), 34 of IPC and issued a bailable warrant against the petitioner.

The petitioner submits that upon the complaint of Ashok Kumar Dubey, the police were directed to conduct an investigation. During the investigation, the police recorded the statement of the petitioner's daughter, Sikha Sharma, who is the daughter-in-law of the complainant Ashok Kumar Dubey, being the wife of Abhishek Dubey, who is the son of complainant. The complaint has been registered solely on the basis that an affidavit of Shikha Sharma was notarized in Raipur on 15.06.2022, whereas Shikha Sharma was in Hyderabad at that time, and her signatures on the affidavit were allegedly signed by her father Dharamveer Sharma.

Learned counsel for the petitioner argues that Shikha Sharma herself gave a statement to the police on 06.01.2024, stating that she had come to Durg on 15.06.2022 and executed an affidavit of divorce after reaching Raipur. The police informed the complainant, Ashok Kumar Dubey, about the non-cognizable offence on 28.02.2024, thereafter, Ashok Kumar Dubey filed a complaint before the

trial Court. The complaint was registered against the petitioner, and a bailable warrant was issued. Since the offence is non-bailable and punishable, therefore, there is likely to take into custody and he may be sent to jail, therefore, it is prayed that I.A. No. 01/2025 may be allowed and effect and operation of the impugned order dated 03.06.2025 shall remain stayed.

Considering the facts and circumstances of the case, and the submissions made by counsel for the petitioner, purely as an interim measure, it is directed that the effect and operation of the impugned order dated 03.06.2025 shall remain stayed till the next date of hearing.

Let notice be issued to Respondent No.2 by ordinary as well as registered mode, on payment of process fee as per rules.

List this matter in the week commencing 14th July, 2025.

sd/-

(Sanjay Kumar Jaiswal)
Judge