



HIGH COURT OF CHHATTISGARH AT BILASPUR

CRMP No. 2136 of 2024

1. 1. Smt. Bisni Bai, W/o. Shri Harishankar Sahu, Aged About 75 Years R/o. Near Sheetla Mandir, Village - Kurud, Tahsil And District - Durg (C.G.)
2. Smt. Ahilya Bai, W/o. Shri Dinesh Kumar Sahu, Aged About 52 Years R/o. Near Sheetla Mandir, Village - Kurud, Tahsil And District - Durg (C.G.)

... Petitioners

versus

1. State of Chhattisgarh Through The Station House Officer, Police Station - Kotwali, District - Durg (C.G.)
2. The Station House Officer, Police Station - Kotwali, Durg, District - Durg (C.G.)
3. Ranjeet Kumar Sinha, S/o. Late B.N. Prasad, Aged About 63 Years R/o. Krishna Grad City, Kohka, Bhilai, Tahsil And District - Durg (C.G.)
4. Harishankar Sahu, S/o. Late Amritlal Sahu, Aged About 80 Years R/o. Near Sheetla Mandir, Village - Kurud, Tahsil And District - Durg (C.G.)

... Respondents

Order on Board

12/08/2024	Heard Mr. B.P. Sharma, learned counsel for the petitioners as well as Mr. Shashank Thakur, learned Deputy Advocate General, appearing for the State/respondent Nos. 1 & 2.

It has been argued by learned counsel for the petitioners that the petitioner No.1 is the wife of respondent No.4, who is also an accused in the present case and he has been made formal party as a respondent in the present petition and it is stated that without taking the consent of the petitioners the respondent No.4 had entered into an agreement with respondent No.3. It is further stated that the petitioners are ready to return the amount to respondent No.3 and affidavits in this regard have been filed along with covering memo, whereby it is stated that they are ready to return the money to respondent No.3. It is also submitted that the petitioners are old aged persons aged about 75 years and 52 years respectively and the case is purely of the civil nature.

Issue notice to respondent No.3 on payment of PF as per rules. Notice be made returnable within four weeks.

Let counter affidavit be filed within a period of two weeks by respondent No.3 after service of notice upon him and is also directed to serve a copy of the same to

the learned counsel for the petitioners, who may file rejoinder affidavit, if any, within one week thereafter.

List the matter after eight weeks.

Till the next date of listing or till submission of police report under section 173 (2) Cr.P.C., if any, before the competent court, whichever is earlier, the arrest of the petitioners in FIR No. 0390 of 2024 dated 20.07.2024 registered at Police Station – Kotwali Durg, District – Durg for offence under Section 420, 34 of IPC shall remain stayed, of course subject to the restraint that the petitioners shall fully cooperate with the investigation and shall appear as and when called upon to assist in the investigation.

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice