



HIGH COURT OF CHHATTISGARH AT BILASPUR

CRMP No. 3032 of 2025

1 - Santoshi Sahu W/o Santosh Sahu Aged About 34 Years R/o Village - Jhumka, P.S. Sarsiwa, District - Sarangarh-Bilaigarh Chhattisgarh

2 - Santosh Sahu S/o Balud Sahu Aged About 37 Years R/o Village - Jhumka, P.S. Sarsiwa, District - Sarangarh-Bilaigarh Chhattisgarh

3 - Balud Sahu S/o Kartik Ram Sahu Aged About 66 Years R/o Village - Jhumka, P.S. Sarsiwa, District - Sarangarh-Bilaigarh Chhattisgarh

4 - Manbodh Sahu S/o Balud Sahu Aged About 30 Years R/o Village - Jhumka, P.S. Sarsiwa, District - Sarangarh-Bilaigarh Chhattisgarh

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through P.S. Sarsiwa, Distt. - Sarangarh-Bilaigarh Chhattisgarh

2 - Radhadevi Joshi W/o Kaushal Joshi Aged About 47 Years R/o Village - Jhumka, P.S. Sarsiwa, District - Sarangarh-Bilaigarh Chhattisgarh

... Respondent(s)

(Cause title taken from CIS)

06/10/2025	<p>Shri J.K. Gupta, learned counsel for the petitioner.</p> <p>Shri Soumya Rai, learned Panel Lawyer for the State.</p> <p>Heard on I.A. No. 02/2025, application for amendment in the prayer clause of the petition.</p> <p>On due consideration, the application (I.A. No. 02/2025) is hereby allowed.</p> <p>The petitioner shall carry out the necessary amendment and also file a typed copy of the same</p>

during the course of the day.

Learned counsel for the petitioners submits that the First Information Report (FIR) was initially registered for offences punishable under Sections 294, 506, and 34 of the Indian Penal Code (IPC). Subsequently, the provisions of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act were invoked, and Section 3(1)(s) thereof was added, following the issuance of a certificate verifying the complainant's membership in a Scheduled Caste. It is alleged that the addition of these provisions appears to have been made to lend the color of an atrocity against a member of a Scheduled Caste to the proceedings.

Issue notice.

Shri Soumya Rai, learned Panel Lawyer appears and accepts notice on behalf of respondent

no. 1/State.

In view of the above on payment of P.F. notice be issued to respondent no. 2 as per rules.

Also heard on I.A. No. 01/2025, an application for grant of stay.

Having considered the entire facts and circumstances of the case and also considering the submission made by the petitioners, the further proceeding of Spl. Criminal Case (Atrocity Act) no. 37/2024 pending before Learned Special Judge (Atrocity Act), District Raigarh under Section 294, 506, 34 IPC and Section 3(1)(s) of SC/ST Act shall remain stayed till the next date of hearing.

Sd/-

(Bibhu Datta Guru)

Judge

Sd/-

(Ramesh Sinha)

Chief Justice