



HIGH COURT OF CHHATTISGARH AT BILASPUR

CRMP No. 3334 of 2024

1 - Monika Jain (Pet. in Person) W/o Shri Vishal Jain, Aged About 35 Years, R/o Purana Galla, Mandi Mind, Madhya Pradesh.

2 - Pinki Jain D/o L. L. Jain Aged About 34 Years R/o Purana Galla, Mandi Mind, Madhya Pradesh.

... Petitioners

versus

1 - State of Chhattisgarh Through Police Station Dongargarh, District Rajnandgaon, Chhattisgarh.

2 - Shilpi Jain Agrawal W/o Shri Virat Agrawal Aged About 32 Years R/o 10 Platinum Plaza Mata Mandir Ke Paas, Thana T.T. Nagar, Bhopal, Madhya Pradesh.

... Respondents

05-02-2025	Mr. Shashi Kumar Kushwaha, Advocate for the petitioners. Mr. Hariom Rai, Panel Lawyer for the State. Heard on I.A. No.03, application for amendment in the petition. On due consideration, I. No.03/2025 is allowed and the petitioners are permitted to carry out necessary amendment during course of the day. Also heard on I.A. No.01/2025 and I.A. No 04/2025 which are applications for grant of interim relief to the petitioners. Learned counsel for the petitioners submits that there is no material against the present petitioners in the charge sheet that they have committed theft of ornaments of the complainant. Even no ornament has been seized from them. Except the
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	memorandum statement of the present petitioners there is no other sufficient evidence to implicate them in the offence in question. He would further submit that it would not be possible for any one that during traveling by train they sell the ornament allegedly stolen by them and in the train itself they would get its consideration of Rs.1,00,000/- cash. Further, both the petitioners are sisters, but separate seizure of cash amount have been made by the police. He would further submit that the conduct of the complainant itself was suspicious and to grab her property her brother Bhaskar Jain and the complainant Shilpi Jain have made the entire plan to implicate the present petitioners in the offence. Therefore, from the material available in the charge sheet entire case against the petitioners appears to be doubtful, therefore, further proceeding of Criminal case No.1763/2023 pending before the learned trial Court against the petitioners may be stayed. On the other hand, learned counsel for the State opposes. Considering the submissions made by learned counsel for the parties and further considering the nature of allegation and the material available in the charge sheet collected against the petitioners and also in view of the allegations against the petitioners, it is ordered that further proceeding of Criminal Case No.1763/2023 pending before the trial Court against the petitioners shall remain stayed till the next date of hearing. Issue notice to respondent No.2 on payment of P.F. as per rules. List the matter after service of notice upon respondent No.2. Sd/- (Ravindra Kumar Agrawal) Judge Sd/- (Ramesh Sinha) Chief Justice
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