

**HIGH COURT OF CHHATTISGARH AT BILASPUR****CRMP No. 3302 of 2025**

**1** - Premanand Mahesh Risbud S/o Mahesh Janardan Risbud Aged About 42 Years R/o 1034/2, Annapoorna, Canal Road, Model Colony, Distt. Pune, Maharashtra.

**2** - Shushant Duryodhan Khade S/o Duryodhan Khade Aged About 35 Years R/o 94 Rohidas Nagar, Ped, Distt. Sangli, Maharashtra.

**3** - Sanjiv Kumar Verma S/o Amar Chand Verma Aged About 35 Years R/o Flat No. 1b, 4 Tilak Road, Deshapriya Park, Sarat Bose Road, P.O. Sarat Bose Road, Distt. Kalkata, West Bengal.

**--- Petitioners**

**Versus**

**1** - The State of Chhattisgarh Through P.S. Pandri, Distt. Raipur, Chhattisgarh.

**2** - Rounak Goyal S/o Pradeep Goyal Aged About 25 Years Proprietor M/s Bharat Automotive, Ground Floor, Usha Estate, Near Mova Over Bridge, P.S. Pandri, Raipur, Distt. Raipur, Chhattisgarh.

**--- Respondents**

**CRMP No. 3303 of 2025**

**1** - Krishan Amarnath Kohli S/o Amarnath Kohli Aged About 56 Years R/o Flat No. V-51/2, Survey No. 40,41,59, Forest Colony, Kharadi, District - Pune Maharashtra

**2** - Pankaj Sonalkar S/o Uttam Sonalkar Aged About 64 Years R/o C 4/703, Bramha Suncity, Wadgaon Sheri, Kalyani Nagar, Pune, District - Pune Maharashtra

**3** - Sunil Nilkanth Kulkarni S/o Nilkanth Kulkarni Aged About 46 Years R/o 9 Green Park, C-202, Behind Shinde High School, Sahakar Nagar 2, Parvati, District - Pune Maharashtra



**4 - Santosh Kumar Singh S/o Lal Babu Singh Aged About 48 Years R/o A 2, Flat No. 303, Kumar Prospera, Magarpatta City Road, Hadapsar, District - Pune Maharashtra**

**5 - Keerthi Kiran Gautham S/o B Chandra Mouli Aged About 36 Years R/o F1-33, Citadel Society, B T Kawade Road, District - Pune Maharashtra**

**---Petitioners**

**Versus**

**1 - The State of Chhattisgarh Through Police Station - Pandri, District - Raipur Chhattisgarh**

**2 - Rounak Goyal S/o Pradeep Goyal Aged About 25 Years Proprietor - M/s. Bharat Automotive, Ground Floor, Usha Estate, Near Mova Over Bridge, P.S. - Pandri, Raipur, District Raipur Chhattisgarh**

**--- Respondents**

**Order Sheet**

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| <b>04.11.2025</b> | <p>Heard Mr. Keshav Dewangan, learned counsel for the petitioners in CRMP No.3302/2025 and Mr. D.K. Gwalre, learned counsel for the petitioners in CRMP No.3303/2025. Also heard Mr. Shailendra Sharma, learned Panel Lawyer, appearing for the State/respondent No.1 in both the petitions.</p> <p>Learned counsel for the petitioners submits that the entire dispute, even if taken at face value, is purely commercial in nature arising out of a dealership arrangement between the complainant and the companies concerned. The petitioners in CRMP No.3302/2025 are the employees of M/s. Tata Motors Pvt.</p> |



Ltd., who is manufacturer of electric two-wheelers and supplier of spare parts and the petitioners in CRMP No.3303/2025 are the Directors who have been falsely implicated only with a view to pressurize and convert a civil liability into criminal proceedings. It is urged that the essential ingredients of the alleged offences under Sections 120-B, 409 and 420 IPC are wholly absent. There was no dishonest or fraudulent intention on the part of the petitioner at the inception of the transaction; at best, the grievance of the complainant is of non-supply of further vehicles or delay in refund, which gives rise only to civil consequences. Mere breach of contract cannot constitute the offence of cheating or criminal breach of trust.

Learned counsel for the petitioners jointly submit that the co-accused, namely Kapil Chandrakant Shelke, has already been granted the benefit of stay by this Court vide order dated 26.08.2025 passed in CRMP No.2667/2025. Accordingly, it is prayed that the impugned FIR No.19/2025 dated 20.01.2025 registered at Police Station Pandri, Raipur, be quashed, in the



interest of justice. They have placed reliance upon the orders rendered by different High Courts i.e. High Court of Andhra Pradesh in *Criminal Petition No.3836/2025 vide order dated 09.04.2025* as well as High Court of Kerala in *Crl.MC. No.4895/2025 vide order dated 05.06.2025*.

In view of the above, issue notice to the respondents by ordinary process as well as registered posts.

Learned State counsel appears and accepts notice on behalf of respondent No.1 therefore, issuance of notice to the State/respondent No.1, is dispensed with.

Issue notice to respondent No.2 by ordinary and registered post. Process fee be paid as per Rules.

Four weeks' time is granted to the learned counsel for the respondents to file their reply-affidavits and thereafter, two week's time is granted to the learned counsel for the petitioner to file rejoinder-affidavit.

List these matters thereafter along with CRMP No.2667/2025.



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| Anu | <p>Till the next date of listing or till submission of Police Report under Section 173(2) of the Cr.P.C. (now under Section 193(3) of the BNSS), if any, before the competent Court, whichever is earlier, the arrest of the petitioners, namely <b>1- Premanand Mahesh Risbud, 2- Shushant Duryodhan Khade, 3- Sanjiv Kumar Verma</b> in CRMP No.3302/2025 and <b>1- Krishan Amarnath Kohli, 2- Pankaj Sonalkar, 3- Sunil Nilkanth Kulkarni, 4- Santosh Kumar Singh</b> and <b>5- Keerthi Kiran Gautham</b> in CRMP No.3303/2025 in pursuance of impugned F.I.R. bearing Crime No.19/2025 dated 20.01.2025 registered at Police Station Pandri, District Raipur (C.G.), 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.</p> <div><div><p><b>Sd/-</b><br/><b>(Bibhu Datta Guru)</b><br/><b>Judge</b></p></div><div><p><b>Sd/-</b><br/><b>(Ramesh Sinha)</b><br/><b>Chief Justice</b></p></div></div> |
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