



2025:CGHC:49554-DB

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRMP No. 756 of 2024

1 - Damodar Singh Rajput S/o Shri Barelal Rajput, Aged About 61 Years Present R/o Village Deori (Karahi), Thana, Tahsil And District Mungeli (Cg), Permanent R/o Village-Jhafal, Thana And Tahsil- Lormi, District Mungeli (C.G.)

2 - Balveer Singh Rajput S/o Shri Barelal Rajput, Aged About 70 Years R/o Village Bhathapara Near Lormi College, Thana And Tahsil - Lormi, District Mungeli (Cg), Permanent R/o Village-Jhafal, Thana And Tahsil- Lormi, District Mungeli (C.G.)

3 - Ranjeet Singh Rajput S/o Shri Barelal Rajput, Aged About 54 Years R/o Village-Jhafal, Thana And Tahsil- Lormi, District Mungeli (C.G.)

4 - Hemant Singh Rajput S/o Shri Ranjeet Singh Rajput, Aged About 25 Years R/o Village-Jhafal, Thana And Tahsil- Lormi, District Mungeli (C.G.)

Petitioner(s)

versus

1 - State Of Chhattisgarh Through Station House Officer, Police Station-Lormi, District Mungeli (C.G.)

2 - Smt. Maneela Rajput W/o Shri Sanjay Singh Rajput, Aged About 31 Years R/o Village-Jhafal, Thana And Tahsil- Lormi, District Mungeli (C.G.)

3 - Sanjay Singh Rajput S/o Shri Damodar Singh Rajput, Aged About 36 Years R/o Village-Jhafal, Thana And Tahsil- Lormi, District Mungeli (C.G.)

Respondent(s)

(Cause-title taken from Case Information System)

For Petitioner(s) : Mr. Sunil Sahu, Advocate

For State : Mr. Saqib Ahmed, PL

For Respondent Nos.2 & 3 : Dr. Sudeep Agrawal, Advocate

Hon'ble Shri Ramesh Sinha, Chief Justice

Hon'ble Shri Bibhu Datta Guru, Judge

Order on Board

Per Bibhu Datta Guru, J

06/10/2025

1. The instant CRMP under Section 528 of the BNSS, 2023 has been filed by the petitioners for the following prayer :-

“Hon’ble Court may kindly be pleased to quash the charge-sheet with order of taking cognizance dated 26/06/2024 and proceedings of Criminal case no. 696/2024 pending before JMFC, Lormi, Distt. Mungeli for the offences punishable under Section 498-A/34 IPC”

2. (a) It is stated in the petition that the petitioners and respondents are members of the same family. Petitioner No.1 is the father-in-law of the complainant–respondent No.2 and father of respondent No.3; petitioner Nos.2 and 3 are real brothers of petitioner No.1 whereas petitioner No.4 is the son of petitioner No.3. According to the petitioners, due to alleged ongoing property and family disputes between petitioner No.1 and his son i.e. respondent No.3, respondent No.2, who is the wife of respondent No.3, lodged the present FIR, at the behest of her husband, as a counterblast to earlier complaints. Petitioners Nos.2 to 4 have been living separately since long before the complainant’s marriage, following a prior partition.

(b) The FIR lodged by respondent No.2 on 23.01.2024 at Police Station Lormi, District Mungeli, alleges that after her love marriage with respondent No.3 on 01.02.2017, she was subjected to harassment and ill-treatment by the petitioners, including threats, coercion, and exclusion from family functions. Based on this report, offence under Sections 498-A/34 IPC was registered. The petitioners were granted anticipatory bail by the learned Sessions Judge, Mungeli, vide orders dated 27.01.2024 and 01.02.2024.

(c) It is stated in the petition that prior disputes had arisen between petitioner No.1 and his son (respondent No.3 herein) regarding property, and FIRs were allegedly registered against respondent No.3 in 2018 and 2023 for assaulting petitioner No.1. It is further alleged that respondent No.3 again assaulted petitioner No.1 on 22.02.2021 and 15.03.2021, compelling him to live separately at Mungeli, for which reports were lodged.

(d) Prior to registration of the present FIR, counseling proceedings had taken place at the Family Counseling Centre, Mungeli, on 21.01.2024, where only petitioner No.1 and his daughter-in-law i.e. respondent No.2 were present. Petitioners allege that despite the counseling, the FIR was registered on 23.01.2024 in violation of the guidelines issued by the Supreme Court in a catena of decisions.

3. Learned counsel for the petitioners submits that all the petitioners have been unnecessarily implicated in the present FIR despite having no direct involvement in the matrimonial affairs of respondent No.2. It is submitted that petitioner No.1, the father-in-law of respondent No.2, and petitioners Nos.2 to

4, who are close relatives, have been falsely implicated merely on the basis of family discord and minor domestic disputes. It is further submitted that the FIR was lodged after a considerable delay of more than seven years since the marriage of respondent No.2 and respondent No.3, and there is no material on record to show any ongoing harassment or dowry demand by the petitioners. Petitioners contend that prior to registration of the FIR, counseling proceedings were conducted at the Family Counseling Centre, Mungeli, on 21.01.2024, where only petitioner No.1 and respondent No.2 were present, and no allegations were raised against petitioners Nos.2 to 4. Learned counsel also submits that petitioners Nos.2 to 4 have been living separately for many years following a family partition and have no connection with the matrimonial home of respondent No.2. The petitioners allege that the FIR was lodged with a view to harass them, and continuing the proceedings would cause undue hardship and prejudice, as the material on record does not prima facie implicate any of the petitioners.

4. Learned counsel for respondent Nos.2 and 3 opposes the petitioners' submissions and submits that the FIR was lodged bona fide on account of continuous harassment and ill-treatment by the petitioners. It is further submitted that, although the petitioners had earlier filed a counter FIR against the respondents, the proceedings arising out of that FIR have already concluded in their acquittal.

5. We have heard learned counsel for the parties, perused the record and all the documents appended with the petition.

6. On a careful consideration of the submissions and the record, it is apparent that the FIR arises out of family discord and strained relations

following the love marriage of respondent No.2 and respondent No.3. The counseling proceedings conducted on 21.01.2024, prior to registration of the FIR, and the anticipatory bail granted to the petitioners shortly thereafter, indicate that the matter requires judicial temperance. Further, it is apparent that there exists a family dispute between Petitioner No. 1 and Respondent No. 3, and the present FIR has been lodged by Respondent No. 2, who is the wife of Respondent No.3. Since the matter is essentially of a civil nature, the petitioners have made out a *prima facie* case for quashing the FIR and all proceedings arising therefrom.

7. Continuation of proceedings against the petitioners would result in undue hardship, as the material on record does not *prima facie* implicate them in the alleged offences. The petitioners have, therefore, made out a case for quashing of the FIR, the charge-sheet, the order of taking cognizance dated 26.06.2024, and all proceedings in Criminal Case No. 696/2024 pending before the JMFC, Lormi, District Mungeli, for offences punishable under Sections 498-A/34 IPC.

8. Accordingly, the CRMP is **allowed**. The FIR registered at Police Station Lormi, District Mungeli, on 23.01.2024, the charge-sheet, the order of taking cognizance dated 26.06.2024, and all proceedings in Criminal Case No. 696/2024 pending before the JMFC, Lormi, District Mungeli, for offences punishable under Sections 498-A/34 IPC, are hereby quashed against the petitioners.

Sd/-
(**Bibhu Datta Guru**)
Judge

Sd/-
(**Ramesh Sinha**)
Chief Justice