



2026:CGHC:17045-DB

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****CRMP No. 1055 of 2026**

Dilip Jha S/o Brahma Narayan Jha Aged About 45 Years R/o F-21 River View Colony Police Station Koni, District Bilaspur (C.G.)

... Petitioner**versus**

1 - State of Chhattisgarh Through Superintendent of Police Bilaspur, Chhattisgarh

2 - State of Chhattisgarh Through Station House Officer, Police Station Kota, District Bilaspur, Chhattisgarh

3 - Astik Sahu S/o Rajaram Sahu Aged About 21 Years R/o Patel Hostle Sai Mandir Badi Koni Bilaspur, District Bilaspur Chhattisgarh

... Respondents

For Petitioner : Mr. Arjit Tiwari, Advocate though video conferencing

For Respondent Nos.1 & 2/State : Mr. Priyank Rathi, Govt. Advocate

Hon'ble Shri Ramesh Sinha, Chief Justice
Hon'ble Shri Ravindra Kumar Agrawal, Judge

Order on Board**Per Ramesh Sinha, Chief Justice****15.04.2026**

1 Heard Mr. Artit Tiwari, learned counsel for the petitioner, appearing through video conferencing as well as Mr. Priyank Rathi, learned Government Advocate, appearing for the State/respondent Nos. 1 & 2.

- 2 The present petition under Section 528 of the Bhartiya Nagarik Suraksha Sanhita (for short, 'BNSS') has been filed by the petitioner with the following :-

"I. That the Hon'ble court may kindly be pleased to direct the respondent authorities to produce the entire record pertaining to the case of petitioner.

II. That this Hon'ble Court may kindly be pleased to quash the First Information Report bearing Crime Number 417/2025 dated 26.04.2025 registered at Police Station Kota against the present Petitioner at District Bilaspur, C.G. under Sections 196(1)(b), 197(1)(b)(c), 299, 302, 190 of the Bhartiya Nyay Sanhita, as well as Charge sheet No.380 of 2025 dated 29.05.2025 and all consequent criminal proceedings in respect of Petitioner herein in light of justice and equity.

III. To quash the order dated 07/10/2025 by which cognizance of the offence was taken by the Ld. trial Court in the criminal case bearing number 3169/2025 in respect of Petitioner herein

IV. That this Hon'ble court may further be pleased to pass any other order in favor of petitioner as it may deem fit and proper under the facts and circumstances of the case with cost."

- 3 Brief facts of the case are that the complainant / Respondent No.3 made a complaint on 14.04.2025 before Police Station Koni, District Bilaspur, alleging therein that a 7-day NSS camp was organized by Guru Ghasidas Central University, Bilaspur, from 26.03.2025 to 01.04.2025 at Shivtarai, Kota, in which approximately 159 students participated. It is further alleged that on 30.03.2025, on the occasion of Eid-ul-Fitr, four Muslim

students were called upon the stage and were asked to offer Namaz and that other students were allegedly directed to join them without their consent and were compelled to participate. It has also been alleged that upon certain students raising objections, they were threatened with cancellation of their certificates and were subjected to intimidation on the basis of the said complaint, a preliminary enquiry was conducted by Police Station Koni wherein the petitioner, being a Professor and Project Coordinator of the said camp, came to be implicated along with other faculty members and individuals, initially an unnumbered offence was registered at Police Station Koni, however, as the alleged place of occurrence was found to fall within the jurisdiction of Police Station Kota, the matter was transferred and a numbered FIR under relevant provisions was registered at Police Station Kota, District Bilaspur.

- 4** After completion of investigation, charge-sheet was filed before the Court of Judicial Magistrate First Class, Kota, District – Bilaspur on 29.05.2025 against the accused persons including the petitioner herein and cognizance has been taken by the learned Magistrate on 07.10.2025. Being aggrieved by the same, the instant petition has been filed by the petitioner seeking aforequoted prayers.
- 5** Learned counsel for the petitioners submitted that the impugned FIR and the consequential proceedings are wholly frivolous, vexatious, and manifestly mala fide. He further submitted that the

petitioner, functioning solely as a Project Coordinator for the NSS programme, had no operational or supervisory role at the camp site at the time of the alleged incident. The statements of the complainant and other witnesses confirm that the petitioner was not present during the occurrence, and the materials collected during investigation show no evidence connecting him to the alleged acts. The FIR, therefore, fails to disclose any cognizable offence against the petitioner and amounts to an abuse of the criminal process. Continuation of proceedings would cause irreparable harm to the petitioner's professional career, reputation, and personal liberty. It is submitted that the Supreme Court, in ***State of Haryana v. Bhajan Lal (1992 Supp. (1) SCC 335)***, ***Mohammed Wajid v. State of U.P. (2023 Livelaw SC 624)***, and ***Ishwar Pratap Singh v. State of U.P. (2018 13 SCC 612)***, has consistently held that where allegations are vexatious, frivolous, or motivated by private vengeance, the High Court is empowered to quash the FIR or proceedings under Section 482 CrPC or Article 226 of the Constitution. The present case falls squarely within these principles, as the petitioner has been selectively implicated despite the institutional nature of the NSS programme, and no evidence implicates him in any operational wrongdoing, as such, the impugned FIR as well as the order taking cognizance, so far as it relates to the petitioner be quashed.

- 6 On the other hand, learned State counsel submitted that the present petition seeking quashing of the FIR and the proceedings

is not maintainable at this stage, as the charge-sheet has already been filed following a detailed investigation. The filing of the charge-sheet indicates that the investigating agency has found sufficient material to proceed against the petitioner, and it is now for the competent court to examine the evidence and determine the petitioner's liability. Interference at this stage would amount to pre-judging the merits of the case, which is impermissible, and could impede the statutory criminal process. It is further submitted that the petitioner's reliance on administrative records or selective statements cannot override the evidence collected during investigation, which may demonstrate a connection between the petitioner and the alleged acts. He further submitted that since the charge-sheet discloses sufficient material to prima facie support the allegations, the case does not fall within the recognized categories for quashing.

- 7 Upon careful consideration of the materials on record, including the FIR, the investigation report, and the charge-sheet filed under the provisions of the CrPC, it is observed that the investigation has been completed and sufficient material has been collected to proceed against the petitioner. The submission of the petitioner that the proceedings are frivolous or vexatious is noted; however, the power of this Court under Section 482 CrPC or Article 226 of the Constitution is extraordinary and must be exercised sparingly, particularly after the filing of a charge-sheet. As held by the Hon'ble Supreme Court in *Bhajan Lal (supra)*, quashing of

proceedings is justified only in exceptional circumstances where the allegations on the face of the FIR do not disclose a cognizable offence or where the proceedings are manifestly mala fide. In the present case, the charge-sheet indicates that the investigation revealed prima facie evidence warranting trial, and there is no conclusive proof at this stage that the proceedings were instituted with ulterior motives.

- 8 Further, in *Mohammed Wajid & Anr. v. State of U.P.*, 2023 SCC OnLine SC 624, the Hon'ble Supreme Court emphasized that once a charge-sheet is filed, the accused has an adequate remedy by approaching the trial court to challenge the evidence or seek anticipatory relief, rather than invoking the extraordinary jurisdiction of this Court to pre-empt the trial process. It is evident that the petitioner has already granted anticipatory bail. The petitioner's contention regarding absence from the scene or administrative role is a matter that can be fully addressed during the trial through cross-examination and presentation of evidence. Interference at this stage would amount to pre-judging issues of fact and evidence, which the Court is not empowered to do.
- 9 In view of the above, and relying on the settled principles laid down in *Bhajan Lal* (supra), *Mohammed Wajid* (supra), and *Ishwar Pratap Singh* (supra), the petition lacks merit and is **dismissed**. No order as to costs.

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice