



2026:CGHC:13614-DB

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****CRMP No. 816 of 2026**

1. Jai Kumar Dewangan (In Person) S/o Homji Lal Dewangan, Aged About 36 Years R/o Village Sakarra, Tahsil Adbhar, P.S. Malkharouda, District Sakti Chhattisgarh
2. Smt Dimple Dewangan W/o Jai Kumar Dewangan Aged About 33 Years Son Of Homju Lal Dewangan, R/o Village Sakarra, Tahsil Adbhar, P.S. Malkharouda District Sakti Chhattisgarh

... Petitioner(s)**versus**

1. State of Chhattisgarh Through Its Secretary, Department of Home, Mahanadi Bhawan, New Mantralaya Atal Nagar, Naya Raipur District Raipur Chhattisgarh
2. Superintendent of Police, Mungeli, District Mungeli (C.G.)
3. Station House Officer, Police Station City Kotwali, Mungeli, District Mungeli Chhattisgarh
4. Aaryan Toppo S/o Prabodh Toppo Aged About 19 Years R/o Karhi Colony In Fromnt Of Coolectorate District Mungeli Now, C/o Father Prabodh Toppo, Judge Family Court Address District And Sessions Court South Chakradhar Nagar, Raigarh, District Raigarh (C.G.)

...Respondent(s)

(Cause-title taken from Case Information System)

For Petitioners	:	Mr. Jai Kumar Dewangan, in person.
For Respondent/State	:	Mr. Priyank Rathi, Government Advocate.



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

Per Ramesh Sinha, Chief Justice

23.03.2026

1. Heard Mr. Jai Kumar Dewang, petitioner in person. Also heard Mr. Mr. Priyank Rathi, learned Government Advocate, appearing for the State/respondents No. 1 to 3.
2. The present petition has been filed by the petitioners with the following prayers:

“1. That, Hon’ble Court may kindly be pleased to allow the instant petition under Section 528 of BNSS, 2023 filed by the petitioner, in the interest of justice.

2. That, Hon’ble Court may kindly be pleased to quash the FIR bearing No. 322 of 2022 registered on dated 28.05.2022 at Police Station Mungeli, District Mungeli Chhattisgarh filed under Section 420, 34 of IPC in the interest of justice.

3. That, Hon’ble Court may kindly be pleased to acquit the petitioners from alleged offence under Section 420, 34 of IPC on the basis of delayed proceeding in the light to judgment of the Hon’ble Supreme Court, in the interest of justice.



4. That, the Hon'ble Court may kindly grant any other reliefs in favour of the petitioners, which the Hon'ble Court deemed fit & just in the facts and circumstances of the case, in the interest of justice."

3. Petitioner No. 1 appears in person and seeks quashing of FIR No.322 of 2022 registered for the alleged offence under Section 420/34 of the IPC, along with the entire investigation proceedings, on the ground that the same are illegal, arbitrary, and contrary to settled principles of law. He submits that as per the prosecution case, the minor complainant alleged that petitioner No. 1, namely Jai Kumar Dewangan, along with his cousin Vishnu Dewangan, had acquaintance with the complainant's family and was entrusted with the care of the complainant's mother during her treatment at CMC Vellore. It is further alleged that petitioner No. 1 had access to an ATM card through which an amount of Rs. 6,96,936/- was withdrawn illegally by an unknown person, leading to registration of the impugned FIR.

4. The petitioner further submits that despite lapse of more than three years and nine months from the date of registration of the FIR, the investigating agency has neither completed the investigation nor filed the charge-sheet, which is in violation of statutory provisions and has caused serious prejudice to the petitioners. It is also contended that the FIR itself has been lodged after an inordinate and unexplained delay, as the alleged transactions took place between 16.12.2016 and 19.08.2020, whereas the FIR was registered on 28.05.2022, thereby



casting serious doubt on the veracity of the allegations.

5. It is further submitted that at the time of the alleged incidents, the complainant was a minor and had no knowledge of the financial transactions. The complaint is alleged to have been filed subsequently under influence, and therefore lacks credibility. It is contended that all financial transactions were carried out with the full knowledge and consent of the complainant's parents for medical, domestic, and other legitimate purposes.

6. The petitioner submits that he had assisted the complainant's family, including accompanying the complainant's mother for medical treatment and managing financial and domestic affairs as per instructions. It is argued that the relationship between the parties was based on trust and familiarity, and therefore, no dishonest intention or ingredient of cheating is made out. It is further contended that the allegations are vague and do not disclose specific instances of misappropriation. It is also submitted that the petitioner had no knowledge of the FIR until much later when inquiries were initiated regarding his properties. According to the petitioner, the present dispute is civil in nature arising out of consensual financial transactions, which has been given a criminal colour due to ulterior motives.

7. *Per contra*, learned State counsel opposes the petition and submits that the allegations in the FIR disclose commission of cognizable offences, and the matter is presently under investigation. It is contended that the delay in lodging the FIR and other factual aspects



are matters of evidence which cannot be examined at this stage. It is further submitted that the investigation is in progress and requires collection of material evidence, including financial transactions, and therefore, interference at this stage would not be appropriate.

8. We have heard the petitioner appearing in person as well as learned counsel for the State, considered their rival submissions, and perused the material available on record with due care.

9. It is well settled that the inherent jurisdiction for quashing of an FIR is to be exercised sparingly, with circumspection, and only in cases where the allegations on the face of the record do not disclose any offence or where the proceedings are manifestly attended with mala fide or abuse of process of law.

10. In the present case, the investigation is admittedly still pending and the police report has not yet been filed. At this stage, this Court is not inclined to examine the disputed questions of fact or to record findings on the merits of the allegations, as the same may prejudice the case of either party. However, considering the fact that the FIR was registered in the year 2022 and the investigation has not been completed till date, this Court deems it appropriate to direct the investigating agency to expedite the investigation.

11. Accordingly, the concerned Investigating Officer is directed to complete the investigation and submit the police report under Section 173(2) of the Cr.P.C. (now corresponding to Section 193(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023) before the competent



Court, strictly in accordance with law, preferably within a period of four weeks from the date of receipt of a certified copy of this order.

12. It is further observed that in the event the petitioner is aggrieved by the police report so filed, he shall be at liberty to avail appropriate remedies as available under law before the competent forum.

13. With the aforesaid observations and directions, the present petition stands **disposed off**.

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice