



2026:CGHC:15468-DB

**NAFR****HIGH COURT OF CHHATTISGARH AT BILASPUR****CRMP No. 939 of 2026**

Manoj Dholakia S/o Lt Ramnik Lalji Dholakia Aged About 54 Years  
Operator- Unique Traders Farishta Complex, R/o C-1, Farishta  
Complex, G E Road, Raipur, District Raipur, Chhattisgarh

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

1. Ghasuram Nirmalkar S/o Lt. Nandlal Nirmalkar R/o- Parsawani,  
PS Magarlod, District Dhamtari (C.G.)
2. State of Chhattisgarh Through The Station House Officer, Police  
Station Magarlod, District- Dhamtari

**... Respondent(s)**

(Cause-title taken from Case Information System)

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For Petitioner	:	Mr. Kumar Piyush Pushkar, Advocate.
For Respondent/State	:	Mr. Nitansh Jaiswal, Deputy Government Advocate.

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**Hon'ble Shri Ramesh Sinha, Chief Justice****Hon'ble Shri Ravindra Kumar Agrawal, Judge****Order on Board****Per Ramesh Sinha, Chief Justice****06.04.2026**

1. Heard Mr. Kumar Piyush Pushkar, learned counsel for the  
petitioner. Also heard Mr. Nitansh Jaiswal, learned Deputy Government  
Advocate, appearing for the State/respondent No. 2.



2. The present petition has been filed by the petitioner with the following prayers:

*“1. Kindly allow the instant petition and pass necessary orders/directions in the favour of the petitioner, whereby the FIR No. 181 of 2024 dated 30.05.2024 registered under Section 306 IPC at PS Magarlod, along with the charge-sheet dated 31.10.2025, Cognizance order dated 15.12.2025 passed by learned JFMC, Kurud Dhamtari, Chhattisgarh and subsequent proceedings arising out of the impugned FIR/charge-sheet i.e. Criminal Case 2585 of 2025 (CGDH040030202025) pending before Sh. Radheshyam Dhruw, Ld. Additional Session Judge, Dhamtari at Kurud may kindly be quashed, in the interest of justice.*

*2. Such other or further orders as this Hon’ble Court may deem fit and proper in the facts and circumstances of the present case be also passed in favour of the petitioners to meet the ends of justice.”*

3. Learned counsel for the petitioner submits that as per the prosecution case, FIR has been registered on the basis of statements recorded by the Investigating Officer from the family members of the deceased, namely Ravikumar Nirmalkar, and other witnesses. It is submitted that the handwriting examination report of the alleged suicide



note was also obtained from the State Examiner of Questioned Documents, Raipur.

**4.** Learned counsel for the petitioner further submits that as per the allegations in the FIR, during investigation it was found that the petitioner, being an electricity contractor, had allegedly not provided certain facilities to the deceased, such as a joining letter, identity card, salary slip, and information regarding EPF, and had allegedly threatened to terminate his services. It is further alleged that when the deceased went on strike demanding such facilities, the petitioner repeatedly called him and threatened to remove him from service, and thereafter did not reinstate him. On this basis, it is alleged that the deceased committed suicide due to such alleged harassment, and the offence under Section 306 of the IPC has been registered against the petitioner.

**5.** Learned counsel for the petitioner would submit that the aforesaid allegations are wholly baseless and do not constitute the offence alleged. It is submitted that the petitioner is a reputed contractor engaged in the business for more than 20 years and employs more than 650 workers. The deceased had been working with the petitioner since the year 2015, and at no point during such long association was any complaint raised, which itself belies the allegations of any hostile work environment. He further submitted that the role of the petitioner is limited to supply of manpower to the Electricity Department, and thereafter the employees work under the supervision and control of the



officers of the Department, and the petitioner does not have direct control over the day-to-day functioning of such employees.

6. Learned counsel for the petitioner further contended that the petitioner has been falsely implicated in the present case without any material to establish his involvement and has not committed any act which could be construed as instigation or abetment of suicide. The implication is based on bald and omnibus allegations. He also contended that contrary to the allegations made in the FIR, the deceased was duly provided with necessary employment documents and was regularly paid salary along with EPF contributions. The dispute arose in the backdrop of an industrial strike, and due to the petitioner approaching the Labour Court, union members, with mala fide intent, have falsely implicated him.

7. It is further submitted by the learned counsel for the petitioner that even the suicide note does not contain any direct or specific allegation constituting instigation or abetment, and there are material inconsistencies regarding its recovery, rendering the prosecution story doubtful. The essential ingredients of Section 306 of the IPC, namely instigation, intentional aid, and mens rea, are completely absent in the present case. It is contended that mere allegations of harassment, even if accepted, do not constitute abetment of suicide unless there is a proximate and direct nexus with the act of suicide. He further contended that the learned trial Court has taken cognizance in a mechanical manner without due application of mind, and continuation of



proceedings would amount to abuse of the process of law.

**8.** *Per contra*, learned State counsel vehemently opposes the petition and submits that the FIR discloses commission of a cognizable offence and the investigation has been conducted in accordance with law. It is submitted that during investigation, statements of the complainant and other witnesses have been recorded, the suicide note has been duly examined by a handwriting expert, and various documentary evidences including WhatsApp status and financial records have been collected.

**9.** Learned State counsel further submits that the material collected during investigation prima facie establishes that the deceased was subjected to continuous harassment and pressure by the petitioner in relation to his employment, which ultimately drove him to commit suicide. It is submitted that the role attributed to the petitioner is not vague but supported by the statements of witnesses and documentary material. He further submitted that the alleged inconsistencies and defences raised by the petitioner are matters of evidence, which can only be tested during trial. At this stage, this Court cannot appreciate evidence or conduct a roving inquiry into disputed questions of fact.

**10.** Learned State counsel would submit that after completion of investigation, the charge-sheet has been filed and the learned trial Court has taken cognizance upon being satisfied that a prima facie case exists. It is contended that the trial has already commenced, and interference at this stage would amount to stalling a legitimate



prosecution. The jurisdiction of this Court for quashing is to be exercised sparingly and only in cases where no offence is disclosed, which is not the situation in the present case.

**11.** We have heard learned counsel for the parties and perused the material available on record.

**12.** The legal position relating to quashing of criminal proceedings is well settled that such power is to be exercised sparingly and with circumspection. The Court is not required to conduct a detailed appreciation of evidence or adjudicate disputed questions of fact at this stage.

**13.** In the present case, it is not in dispute that after completion of investigation, the charge-sheet has been filed and the learned trial Court has taken cognizance upon finding prima facie material disclosing commission of the alleged offence, and the matter is now pending for trial.

**14.** From perusal of the FIR and charge-sheet, it transpires that the deceased Ravi Kumar Nirmalkar was found hanging in the house of the complainant, and initially a merg was registered. During inquiry and investigation, statements of witnesses were recorded, and the suicide note was examined by a handwriting expert.

**15.** The investigation further reveals that allegations have been made against the petitioner regarding non-provision of employment benefits, threats of termination, and non-reinstatement after a strike, which allegedly caused mental harassment to the deceased.



**16.** At this stage, this Court cannot go into the correctness or otherwise of these allegations. The material collected during investigation, including statements of witnesses and documentary evidence, prima facie discloses a nexus between the alleged conduct of the petitioner and the mental state of the deceased.

**17.** The contention of the petitioner regarding absence of mens rea, lack of direct role, or false implication are matters of defence, which require appreciation of evidence and cannot be adjudicated in the present proceedings.

**18.** Similarly, the alleged inconsistencies in recovery of the suicide note or other factual disputes cannot be examined in a petition seeking quashing of proceedings.

**19.** This Court is of the considered view that the allegations, taken at their face value, cannot be said to be so absurd or inherently improbable so as to warrant interference at this stage.

**20.** The case does not fall within the exceptional categories where the inherent powers of this Court can be exercised to quash criminal proceedings.

**21.** Interference at this stage would amount to conducting a mini trial and substituting the findings of the trial Court, which is impermissible in law.

**22.** Accordingly, this Court finds no ground to interfere with the impugned FIR, charge-sheet, or the proceedings pending before the



trial Court.

**23.** The present petition, being devoid of merit, is hereby **dismissed**.

It is made clear that any observations made herein are only for the purpose of deciding the present petition and shall not influence the merits of the case during trial.

**Sd/-  
(Ravindra Kumar Agrawal)  
Judge**

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