



2026:CGHC:18854-DE



2026:CGHC:18854-DB

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPCR No. 229 of 2026

Smt. Binda Bai Sahu W/o Late Guhri Sahu Aged About 60 Years R/o Ward No. 05, Chikhali, Near Shiv Mandir, Rajnandgaon, Tahsil And District Rajnandgaon Chhattisgarh

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through Its Secretary, Department Of Home Mantralaya, Mahanadi Bhavan, Naya Raipur, Raipur (Chhattisgarh)

2 - Director General Of Police Directorate Indirawati Bhawan, Raipur, District Raipur Chhattisgarh

3 - Superintendent Of Police Rajnandgaon, Distt. Rajnandgaon (C.G.)

4 - The Station House Officer Police Station Kotwali, Rajnandgaon, District Rajnandgaon (C.G.)

5 - Pawan Kumar Chouhan S/o Late Hawa Singh Aged About 25 Years R/o Koshtha Para, Tilai, Tahsil Berla, District Bemetara (C.G.)

... Respondent(s)

For Petitioner(s) : Mr. Mirza Hafeez Baig, Advocate

For Respondent(s) : Ms. Anusha Naik, Dy. G.A.



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

Order on Board

Per Ramesh Sinha, C.J.

24/04/2026

1. Heard Mr. Mirza Hafeez Baig, learned counsel for the petitioner as well as Ms. Anusha Naik, learned Dy. Govt. Advocate for the State/ Respondent.
2. The present writ petition has been filed by the petitioner with the following prayers:

“(i) That, this Hon'ble Court may kindly be pleased to issue a writ of mandamus, order or direction to the respondents police authorities to take fresh enquiry and investigation on offence of preparing forged documents as registered sale deed of the land of the petitioner upon the registered FIR No. 213/2023 and FIR No. 215/2023 for the offence under section 420 of I.P.C. against the respondent no. 5 at the earliest, in the interest of justice.

(ii) That, this Hon'ble Court may kindly be pleased to issue an appropriate writ by directing the respondent to produce supplementary challan after completion of re-no. 1 to 3 investigation, in the interest of justice

(iii) Any other relief which may be suitable in the facts and circumstances of the case, may also be granted.”



3. The brief facts of the present case are that the petitioner is the owner of land bearing Khasra No. 368/5 admeasuring 0.80 acre situated at Village Chikhali, Tahsil and District Rajnandgaon (C.G.). Being in need of financial assistance for construction of her house under a Government Scheme, she was approached by her relative Chetan Sahu, who introduced her to respondent No. 5 for arranging a bank loan. In the process, respondent No. 5 obtained the petitioner's thumb impressions on certain documents on the pretext of facilitating the loan. Subsequently, the petitioner discovered that her land had been fraudulently sold to respondent No. 5 through a registered sale deed executed by a power of attorney holder, Kejuram, who had been earlier authorized only to look after the property. Out of the alleged sale consideration, a sum of Rs. 7,00,000/- was deposited in the petitioner's account and withdrawn using her thumb impression, while the remaining amount was misappropriated by respondent No. 5.
4. That the petitioner, being an illiterate rural woman, had no knowledge of the said transaction and had never consented to the execution of any sale deed. Aggrieved, she lodged a complaint at Police Station Kotwali, Rajnandgaon; however, the police registered FIR Nos. 213/2023 and 215/2023 only under Section 420 IPC, treating the matter as a monetary dispute rather than investigating the serious offences of forgery and fraud. Dissatisfied with the improper investigation, the petitioner approached the higher authorities seeking reinvestigation. Upon



preliminary inquiry and recording of statements by the Superintendent of Police, Rajnandgaon, prima facie offences relating to forgery and fraudulent execution of documents were found to be made out against respondent No. 5 and the power of attorney holder. Despite this, no appropriate action has been taken, compelling the petitioner to file the present writ petition seeking proper investigation.

5. Learned counsel for the petitioner would submit that the action/inaction of the respondent authorities is wholly arbitrary, illegal and violative of the petitioner's rights, inasmuch as despite repeated written complaints and directions from superior authorities, no proper legal action has been taken against respondent No. 5 and the co-accused. The petitioner had approached the higher police authorities, including the I.G. on 01.05.2025, pursuant to which the matter was successively referred to the S.P. and C.S.P., Rajnandgaon, and upon due inquiry, the report dated 21.11.2025 clearly concluded that the initial investigation conducted by Police Station Kotwali was improper and warranted reinvestigation for offences of forgery and fraud. Furthermore, this Court in M.Cr.C.A. No. 566/2024 had specifically directed the State authorities to register offence against the power of attorney holder Kejuram for preparing forged documents, yet the respondents have failed to comply with the said judicial direction. Even the report of the City S.P. categorically establishes that the matter was wrongly treated as a mere



monetary dispute under Section 420 IPC, whereas prima facie offences of forgery and cheating with respect to the petitioner's immovable property are made out. Hence, the continued inaction and failure to conduct proper investigation by the respondent authorities is unjustified and calls for interference by this Hon'ble Court to ensure fair, impartial and lawful investigation in the interest of justice.

6. Learned counsel for the State respectfully submits that pursuant to registration of FIR Nos. 213/2023 and 215/2023, a detailed investigation was carried out by the competent police authorities and, upon completion of investigation, charge-sheets have already been filed in the year 2024 before the competent Court. Therefore, the matter is now sub judice and within the domain of the learned trial Court.
7. We have heard learned counsel for the petitioner and perused the material annexed with the petition.
8. Having heard learned counsel for the parties and on perusal of the material available on record, this Court is of the considered opinion that the dispute raised by the petitioner involves seriously disputed questions of fact relating to alleged fraud, forgery, validity of the power of attorney and execution of the registered sale deed, which cannot be adjudicated in exercise of writ jurisdiction under Article 226 of the Constitution of India. It is also not in dispute that FIR Nos. 213/2023 and 215/2023 have already been registered and, during the course of investigation, charge-sheets



have been filed in the year 2024 before the competent Court.

Once the charge-sheet has been filed, the matter is now sub judice before the trial Court and the petitioner has adequate and efficacious remedy to raise all her grievances, including deficiencies in investigation, by invoking appropriate provisions of law before the jurisdictional Magistrate/trial Court.

9. In such circumstances, merely on the ground of dissatisfaction with the investigation or seeking reinvestigation, this Court is not inclined to exercise its extraordinary writ jurisdiction. Accordingly, the writ petition being devoid of merits and having availability of alternative statutory remedy, deserves to be and is hereby dismissed, with liberty to the petitioner to avail appropriate remedies in accordance with law before the competent forum.
10. Accordingly, this Court is not inclined to entertain the present petition, and the same is hereby **dismissed**.
11. No order as to costs.

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice