

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL No. OF 2025
(Arising out of SLP(CrI.) No.1471 of 2025)

... APPELLANT

Versus

THE STATE OF CHHATTISGARH & ANR.

... RESPONDENTS

O R D E R

Leave granted.

This appeal is directed against order dated 18.10.2024, passed by the High Court of Chhattisgarh at Bilaspur, whereby the High Court dismissed the petition filed by the appellant under Section 482 Cr.P.C. for quashment of chargesheet, which has been submitted before the competent court by Police Station, Shankargarh, District Balrampur-Ramanujganj in pursuance of Crime No. 87/2023, registered against the appellant for the offence punishable under Section 376(2)(n), 417, 506 of Indian Penal Code as well as the criminal proceeding of Criminal Miscellaneous Case No.406/2023 and all further proceedings of the Trial Court.

No one has entered appearance on behalf of respondent No.2/complainant.

Heard learned counsel for the appellant as well as learned counsel for respondent No.1-State and carefully perused the material placed on record.

As per the FIR filed by the complainant, she was in

relationship with the appellant and they had decided to marry. The appellant and the complainant also had sexual relationship. The appellant, however, backed out and refused to continue the relationship with the complainant. This is reflected in para 11 of the FIR, which is reproduced hereunder:

"11. That the accused does not want to have any relationship with the applicant anymore and is in contact with some other girl from Ambikapur."

Thereafter, a bald allegation was made against the appellant in para 12 of the FIR, which is reproduced hereunder:

"12. He does not want to marry the applicant and on talking about marriage, he threatens to kill her and her entire family, due to which the applicant is very scared and upset."

In fact, there was an earlier FIR by the complainant's sister-in-law against the appellant and his brothers for threats and physical assault but there is no allegation of sexual assault against the complainant.

In these circumstances, we are of the considered view that no case of rape has been made out against the appellant. We are informed that a chargesheet has been filed. The entire proceedings, according to us is nothing but an abuse of process of law. The High Court should have entertained the petition filed by the appellant under Section 482 Cr.P.C. and quashed the FIR as well as the criminal proceedings.

We are of the considered view that the FIR lodged by the complainant against the appellant is nothing but an abuse of process of law.

Under these circumstances, the appeal is allowed, the

chargesheet, which has been submitted before the competent court by Police Station, Shankargarh, District Balrampur-Ramanujganj in pursuance of Crime No. 87/2023, registered against the appellant for the offence punishable under Section 376(2)(n), 417, 506 of Indian Penal Code as well as the criminal proceeding of Criminal Miscellaneous Case No.406/2023 and all further proceedings of the Trial Court are hereby quashed.

As a sequel to the above, the pending interlocutory application also stands disposed of.

.....J.
(SUDHANSHU DHULIA)

.....J.
(K. VINOD CHANDRAN)

NEW DELHI;
APRIL 09, 2025.

ITEM NO.36

COURT NO.9

SECTION II-C

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (CrI.) No(s).1471/2025

[Arising out of impugned final judgment and order dated 18-10-2024 in CRMP No.351/2024 passed by the High Court of Chhatisgarh at Bilaspur]

██████████

Petitioner(s)

VERSUS

THE STATE OF CHHATTISGARH & ANR.

Respondent(s)

IA No. 26590/2025 - EXEMPTION FROM FILING O.T.

Date : 09-04-2025 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SUDHANSHU DHULIA
HON'BLE MR. JUSTICE K. VINOD CHANDRAN

For Petitioner(s) Mr. Nishant Kumar, Adv.
Mr. Shailendra Singh, Adv.
Mr. Shashikant Sonkar, Adv.
Mr. Akash Vats, Adv.
Mr. Shreya Singh, Adv.
Mr. Sandeep Goyal, Adv.
Mr. Rohit Kumar, AOR
Mr. S.Singh, Adv.

For Respondent(s) Mr. Apoorv Shukla, AOR
Mr. Puneet Chahar, Adv.
Ms. Prabhleen A. Shukla, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Leave granted.

The appeal is allowed in terms of the signed order.

As a sequel to the above, the pending interlocutory application also stands disposed of.

(SATISH KUMAR YADAV)
ADDITIONAL REGISTRAR

(RENU BALA GAMBHIR)
ASSISTANT REGISTRAR

(Signed order is placed on the file)

