



CGHC010273672026



2026:CGHC:31106-DB

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPCR No. 407 of 2026**

Smt. Varsha Ahirwar, W/o Shri Sukhnath Ahirwar Aged About 35 Years
R/o House No. F-02, Vishal Nagar, Telibandha, Raipur, District- Raipur
(C.G.)

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

1. State Of Chhattisgarh Through Its- Secretary, Department Of Home/police, Mantralaya, Mahanadi Bhawan, Nawa Raipur, Atal Nagar, District- Raipur (C.G.)
2. The Director General Of Police State Of Chhattisgarh, P.H.Q. Nawa Raipur, Atal Nagar, Distt.- Raipur (C.G.)
3. The Commissioner District- Raipur (C.G.)
4. Sukhnath Ahirwar S/o Shri Amritlal Ahirwar Aged About 46 Years R/o Village Lormi, Near Govt. College, P.S.- Lormi, Tehsil And District- Mungeli (C.G.)
5. Vishwanath Ahirwar S/o Shri Amritlal Ahirwar Aged About 40 Years R/o Village Bitthaldaha, Gram Panchayat Bitthaldaha, Block - Lormi, District Mungeli (C.G.)
6. Ramnath Ahirwar S/o Shri Amritlal Ahirwar Aged About 38 Years R/o Village Bitthaldaha, Gram Panchayat Bitthaldaha, Block- Lormi, District Mungeli (C.G.)

...Respondent(s)

(Cause-title taken from Case Information System)

For Petitioner	:	Ms. Shrijita Kesharwani, Advocate.
For Respondent/State	:	Mr. Sumit Singh, Deputy Advocate General.

Hon'ble Shri Ramesh Sinha, Chief Justice

Hon'ble Shri Ravindra Kumar Agrawal, Judge

Order on Board

Per Ramesh Sinha, Chief Justice

22.07.2026

1. Heard Ms. Shrijita Kesharwani, learned counsel for the petitioner. Also heard Mr. Sumit Singh, learned Deputy Advocate General, appearing for the State/respondents No. 1 to 3.
2. The present writ petition has been filed by the petitioner with the following prayers:

“a. This Hon’ble Court may kindly be pleased to issue a writ, order or direction, appropriate writ, directing the respondent authorities to register a FIR on the basis of the complaints submitted by the petitioner dated 17.12.2025, 30.01.2026, 17.02.2026 and 20.03.2026, [Annexure P/3, P/4 & P/5] and to conduct a fair, impartial and expeditious investigation into the offences disclosed therein, in accordance with law.

b. This Hon’ble Court may kindly be pleased to issue a writ in the nature of mandamus or suitable direction to

the respondent authorities to investigate the fraudulent procurement and issuance of the forged Birth Certificates of the petitioner's minor daughters, namely Ms. Dedisha Ahirwar and Ms. Aditi Ahirwar, by changing their names, parentage and place of birth, and to take appropriate legal action against all the persons found involved in the commission of the offences.

c. This Hon'ble Court may kindly be pleased to allow any other relief which the Court deems fit and proper with cost of petition."

3. Learned counsel for the petitioner submits that the petitioner is the legally wedded wife of respondent No.4 and their marriage was solemnized on 16.05.2010 according to Hindu rites and customs. Out of the said wedlock, two daughters, namely, Ms. Dedisha Ahirwar and Ms. Aditi Ahirwar (also known as Bhawna Ahirwar), were born on 28.05.2011 and 02.08.2012 respectively at Sai Baba Nursing Home, Rajendra Nagar, Raipur.

4. It is further submitted by the learned counsel for the petitioner that the matrimonial life of the petitioner has been marred by continuous cruelty, harassment and physical abuse at the hands of respondent No.4 and his family members, compelling her to reside with her parental family. She further contended that respondent No.4 has wrongfully kept both the minor daughters in the custody of his brothers in Village

Bitthaldaha, District Mungeli, without the consent of the petitioner. It is also contended that upon seeking information under the Right to Information Act, the petitioner discovered that respondent No.4, in collusion with respondent Nos.5 and 6, fraudulently procured forged birth certificates of the minor daughters by changing their names from "Dedisha Ahirwar" and "Aditi Ahirwar" to "Dedisha Lanjhi" and "Aditi Lanjhi", respectively, falsely showing them to be daughters of one Sukhnath Lanjhi and recording their place of birth as Nawagaon, Bankat, District Mungeli, whereas both the children were admittedly born at Sai Baba Nursing Home, Raipur. According to the learned counsel for the petitioner, the said forged birth certificates were obtained in blatant violation of the provisions of the Registration of Births and Deaths Act, 1969, and disclose the commission of serious cognizable offences involving forgery, fabrication of public records and cheating.

5. Learned counsel for the petitioner would submit that after discovering the alleged fraud, the petitioner lodged written complaints before the Station House Officer, Police Station Rakhi, thereafter before the Commissioner of Police, Raipur, and subsequently before the Director General of Police and other competent authorities, specifically requesting registration of an FIR and investigation into the matter. However, despite repeated representations supported by documentary material, no First Information Report has been registered and no investigation has been undertaken. She further stated that the inaction of the respondent authorities is wholly arbitrary, illegal and contrary to the statutory obligation cast upon the police to register and investigate

cognizable offences. It is contended that despite the existence of prima facie documentary evidence disclosing serious offences relating to forged birth records of the petitioner's minor daughters, the respondent authorities have failed to discharge their legal duties. In these circumstances, the petitioner has invoked the extraordinary jurisdiction of this Court seeking appropriate directions for registration of an FIR and for a fair, impartial and effective investigation in accordance with law.

6. *Per contra*, learned State counsel submits that the grievance of the petitioner can be adequately addressed before the competent Court by filing an application under Section 156(3) or Section 200 of the Cr.P.C., now corresponding to Section 175(3) or Section 223 of the Bharatiya Nagarik Suraksha Sanhita, 2023. It is further submitted that the controversy raised in the present petition already stands settled by the judgment of the High Court of Allahabad in ***Misc. Bench No. 24492 of 2020 (Waseem Haider vs. State of U.P. through Principal Secretary, Home & Others)*** decided on **14.12.2020** as well as by this Court in ***WPCR No. 333 of 2020 (Akhilesh Agrawal vs. State of Chhattisgarh & Others)*** decided on **12.04.2023**, wherein similar petitions were dismissed. Accordingly, it is submitted that the present petition also deserves dismissal on the same grounds.

7. Considering the submissions made by learned counsel for the parties and the nature of relief sought in the present petition, this Court is of the view that the petitioner has an efficacious alternative remedy

available before the competent Court under the provisions of the Bharatiya Nagarik Suraksha Sanhita, 2023.

8. In view of the same, the present writ petition is **dismissed**, with liberty to the petitioner to avail appropriate remedies before the appropriate forum.

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice