

HIGH COURT OF CHHATTISGARH, BILASPUR

WPCR No. 105 of 2017

- Amar Tejawani S/o Late Shri Anshiram Tejawani, Aged About 53 Years
R/o Malidipa, Behind Gayatri Mandir, Raigarh, District Raigarh
(Chhattisgarh)

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through The Collector, Bilaspur, Chhattisgarh.
2. The Superintendent Of Police, Bilaspur (Chhattisgarh)
3. Omprakash Prajapati Former Director, Sant Shri Aasharam Ji Gurukul
Parsiya Road, Chhindwada, Madhya Pradesh, R/o House No. 18/137,
Ward No. 1, Korighat, Hosangabad, Madhya Pradesh And Pipariya
Road, Bombay Gaon, Hosangabad, District Hosangabad Madhya
Pradesh.
4. Seema Ahuja, Former Director Female Class, Sant Shri Aasharam Ji
Gurukul Parsiya Road, Chhindwada, Madhya Pradesh, R/o 173,
Lalmati, Single Quarters, Jabalpur-2, Tahsil And District Jabalpur
(Madhya Pradesh)
5. Harisha Bhai @ Harish Makkad, Former Director Sant Shri Aasharam
Ji Ashram Chhindwada, Madhya Pradesh, R/o 2032, Verka Society,
Sector 49 (B), Chandigarh
6. And Like Other Persons who are Involved In Criminal Conspiracy, Frud
And Thug.

---- **Respondents**

For Petitioner	:	Shri Kalyan Kalamkar, Advocate
For State	:	Shri Gary Mukhopadhyay, Dy. G.A.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

29/03/2017

1. Heard.
2. By this petition under Article 226 of the Constitution of India the
petitioner has prayed for issuance of appropriate direction to quash the
order dated 23/01/2017 passed by the Sessions Judge in Criminal

Revision No. 18/2017 affirming the order dated 16/09/2016 passed by the Chief Judicial Magistrate, Bilaspur in unregistered complaint case. The petitioner filed an application under Section 156(3) of the Code of Criminal Procedure before the Chief Judicial Magistrate, Bilaspur on the allegation that the proposed accused exploiting religious feeling and faith of the petitioner staged a drama by producing one Seema Ahuja, professing that she would be giving birth to God's incarnation, 'Kalki' and collected huge money.

Learned Magistrate recorded that the incident is of the year 2013, whereas the petitioners started making complaint in the year 2016 and the allegation appears to be frivolous and therefore the application was rejected. The revisional Court also found that the allegations of the petitioner regarding commission of offence under Sections 295 and 385 of the IPC are *prima facie* not made out, as there is neither a case of intention to insult the religious relating people or intentional putting any person in fear of any injury for extortion of property. It has been observed that the petitioner himself voluntarily participated in the religious meeting where it was declared that Seema Ahuja would be giving birth to Kalki as incarnation of Lord Vishnu.

3. I do not find that the Courts below have committed any error of law in dismissing the complaint, which is as frivolous as it could be. The petition has no merits. Accordingly, it is dismissed.

Sd/-
(Manindra Mohan Shrivastava)
Judge