CGHC010367372026 2026:CGHC:43046

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 4866 of 2026

1. IDBI Bank Limited Through Its Regional Officer, IDBI Bank, Regional Office, Dev Tower, 1st Floor, Near Holy Heart School, Civil Lines, Raipur, District Raipur, Chhattisgarh.

2. IDBI Bank Limited, Through Its Branch Manager, Rajendra Narayan Behra, IDBI Bank Branch Charoda, Dharsiwa, Raipur Charoda, District Raipur, Chhattisgarh.

... Petitioners

versus

1. State of Chhattisgarh Through The Secretary, Department of Home, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nava Raipur, District Raipur, Chhattisgarh.

2. Director General of Police, Police Head Quarter, Chhattisgarh, Raipur, District Raipur, Chhattisgarh.

3. Superintendent of Police, Raipur (Rural), District Raipur, Chhattisgarh.

ABHISHEK SHRIVAS
Digitally signed by ABHISHEK SHRIVAS
Date: 2026.10.09 12:19:40 +0530

4. Station House Officer, Police Station Dharsinwa, District Raipur, Chhattisgarh.

5. Bedan Kannouje, W/o Rajendra Kannouje R/o No. 194, W.No. 08, Dharsiwa, Charoda, Raipur Chhattisgarh

6. Devshani Lahari, W/o Madam Lala R/o H.No. 201, Mohdi, Raipur, Chhattisgarh

7. Laxman Prasad Verma, S/o Gendura Verma R/o Village Charoda, Dharsiwa, Raipur Chhattisgarh

8. Dukhani Varma, W/o Laxman Prasad Verma R/o House No. 68, Gandhi Ghar, Village Charoda, Raipur Chhattisgarh

9. Prahlad Kumar Nirmalkar, S/o Santhram Nirmalkar, R/o House No. 287, Dharsiwa, Charoda, Raipur Chhattisgarh

10. Kanhaiya Verma, S/o Jivarakhan Verma R/o H. No. 87, Beldar, Budgahan, Bastipara, Raipur Chhattisgarh

11. Goverdhan Prasad Diwan, S/o Devi Prasad Diwan R/o H. No. 82 Akoli, Dharsiwa, Raipur Chhattisgarh

12. Shakuntala Bai, D/o Tikaram Dixit R/o H. No. 82, Akoli, Dharsiwa, Raipur Chhattisgarh

13. Kiran Bai Verma, W/o Krishna Autar Verma R/o H. No. 180, Dharsiwa, Mohdi, Lil Chowk, Raipur Chhattisgarh

14. Sunita Bai Verma, W/o Shankar Lal Verma R/o Dharsiwa, RWA, Raipur Chhattisgarh

15. Kamla Sahu, W/o Janak Sahu R/o Chaturbhuj Para Kunra, Raipur Chhattisgarh

16. Ramnarayan Gupta, S/o Ratan Lal Gupta R/o H. No. 173, Bramhanpara, Koora, Raipur Chhattisgarh

17. Yukti Gupta, D/o Ramnarayan Gupta R/o H. No. 173, Bramhanpara, Koora, Raipur Chhattisgarh

18. Nidhi Gupta, D/o Ramnarayan Gupta R/o H. No. 173, Bramhanpara, Koora, Raipur Chhattisgarh

19. Rani Yadav, W/o Sunil Yadav R/o H. No. 105, Near Kunwa Siltara, Raipur Chhattisgarh

20. Swati Verma, D/o Ram Snehi R/o H. No. 331/5, W. No. 13, Shivaji Chowk, Siltara, Raipur Chhattisgarh

21. Nirmala Dewangan, W/o Rajendra Dewangan R/o Ward No. 10, Ravindranath Tigor, Raipur Chhattisgarh

22. Reena Verma, W/o Kamlesh Verma R/o Bherwa, Kunra, Raipur Chhattisgarh

23. Toshan Lal Sahu, S/o Hinccha Ram Sahu, R/o H. No. 30, Bhatapara, Dhaneli, Raipur Chhattisgarh

24. Narendra Kumar Verma, S/o Kamal Narayan Verma, R/o Durga Chowk, Siltara, Raipur Chhattisgarh

25. Manisha Verma, W/o Narendra Kumar Verma R/o Durga Chowk, Siltara, Raipur Chhattisgarh

26. Urvashi Dhruw, W/o Motiram Dhruw R/o Godhi, Bharsilva, Raipur, Chhattisgarh

27. Kaushilya Yadav, W/o Gauri Shankar Yadav, R/o Dabripara, 136/K, Dharsiwa, Raipur Chhattisgarh

28. Raj Kumar Sinha, S/o Hiraman Lal Sinha R/o 177, Ward No. 07, Charauda, Raipur Chhattisgarh

29. Shesh Narayan Dewangan, S/o Kamal Narayan Dewangan, R/o H. No. 379, Koora, Raipur Chhattisgarh

30. Parvati Sen, W/o Kuleshwar Sen R/o Pandarbhattha, Raipur Chhattisgarh

31. Kusum Sahu, W/o Devendra Sahu R/o Mohdi, Raipur Chhattisgarh

32. Govinda Sen, S/o Manu Lal Sen R/o Dharsiwa, Pandarbhattha, Near Shikndar Chowk, Raipur Chhattisgarh

33. Radha Bai Dhimar, W/o Suresh Dhimar R/o H. No. 738, Bazar Chowk, Kunra, Raipur Chhattisgarh

34. Reserve Bank of India Through Governor Shahid Bhagat Singh Road, Kala Ghoda Fort Mumbai Maharashtra – 400001.

35. Collector Raipur, District Raipur Chhattisgarh.

... Respondents

For Petitioners	**:**	Mr. Manoj Paranjpe, Senior Advocate assisted by Mr. Anshul Tiwari, Advocate.
For Respondents/ State	**:**	Mr. Praveen Das, Additional, Adv. General.
For Respondent Nos. 5 to 33	**:**	Mr. Goutam Khetrapal, Advocate.
For Respondent No. 34/RBI	**:**	Mr. P.R. Patankar, Advocate.

Hon'ble Shri Amitendra Kishore Prasad, Judge

Order on Board

05.10.2026

1. This petition has been filed by the petitioners with the following prayer:

> "i. *That, the Hon'ble Court may kindly be pleased to allow the present Writ Petition filed under Article 226 of the Constitution of India.*
> *ii. That, the Hon'ble Court may kindly be pleased to issue an appropriate writ, order or direction, including a writ in the nature of mandamus, directing the Respondent Authorities, particularly the Respondent Police effective and Authorities, to provide adequate, continuous police protection to the Petitioners, their officers, employees, auditors and customers for enabling the Petitioners to peacefully open, access, operate and carry on the normal banking activities of the Charoda Branch of IDBI Bank, situated at Ward No. 21, Near SBI Road, P.O. Bhilai, G.E. Road, Bhilai, District Durg, Chhattisgarh.*
> *iii. Issue an appropriate writ, order or direction directing the Respondent Authorities to take immediate and effective preventive and lawful measures to ensure that no person or group of persons unlawfully obstructs, intimidates, threatens, abuses, assaults, or otherwise interferes with the entry of the officers and employees of the Petitioners into the aforesaid Bank Branch or with the peaceful functioning of the Branch and the rendering of banking services to its customers.*
> *iv. Issue an appropriate writ, order or direction directing the competent Police Authority to consider and act upon the complaint dated 03.09.2026 and the detailed complaint dated 05.09.2026 and 09.09.2026, submitted by the Petitioners, in accordance with law.*
> *v. Issue an appropriate writ, order or direction directing the Respondent Authorities to take appropriate action, in accordance with law, against any person responsible for*

forcibly obstructing or preventing the lawful functioning of the Petitioners' Bank Branch, including acts attracting the provisions of Section 36AD of the Banking Regulation Act, 1949 and other applicable penal provisions.

vi. Issue an appropriate writ, order or direction restraining the private persons/beneficiaries/complainants and their supporters from taking the law into their own hands or from forcibly closing the Bank Branch, obstructing the ingress or egress of the Petitioners or their employees, preventing banking transactions, threatening intimidating the Bank staff, or otherwise interfering with the lawful functioning of the Petitioners' Bank, without prejudice to their right to pursue their claims before the appropriate forum in accordance with law.

vii. Any other relief, which this Hon'ble court deems, fit in the facts and circumstances may also be granted in favour of the petitioner."

2. Facts of the case, in brief, are that the present writ petition under Article 226 of the Constitution of India has been preferred by IDBI Bank Limited and its Charoda Branch, District Durg, seeking appropriate directions for protection of the lawful functioning of the Bank Branch and the safety and security of its officers, employees, auditors and customers. The matter arises out of two separate allegations of fraudulent withdrawal of amounts from the accounts of customers, pursuant to which Crime No.124/2026 dated 05.03.2026 and Crime No.127/2026 dated 07.03.2026 were registered at Police Station Dharsinwa against Raja Khutte and Durgesh Sharma, respectively. Both the accused persons were working through an outsourcing/placement agency and were not direct employees of the petitioner-Bank. The criminal investigation is already in progress, and the petitioners have continuously cooperated with the police authorities by furnishing the relevant records and information. Simultaneously, the Bank conducted a preliminary inquiry of

its own, followed by a detailed internal investigation/special audit into the alleged transactions, and assured the concerned authorities that, if any lapse or involvement on the part of the Bank or its employees is found, appropriate action would be taken in accordance with law. While the aforesaid criminal and internal investigations were in progress, the complainants, beneficiaries and their supporters allegedly started creating repeated obstruction at the Charoda Branch, demanding payment of the alleged amounts from the Bank and preventing the Branch from being opened and operated. Despite repeated representations dated 23.03.2026, 25.03.2026, 27.03.2026 and 21.08.2026, as well as subsequent complaints, adequate and continuous police protection was allegedly not provided. The situation further aggravated on 02.09.2026 when, upon the petitioners' attempt to reopen the Branch, the beneficiaries and their supporters allegedly assembled at the Bank premises, misbehaved with the Bank employees, forcibly closed the shutter and compelled the employees to leave the premises, resulting in continued disruption of banking operations. The petitioners immediately approached the police authorities vide complaint dated 03.09.2026 and thereafter submitted detailed complaints dated 05.09.2026 and 09.09.2026 before the Superintendent of Police (Rural), Raipur, seeking effective intervention, restoration of peaceful functioning of the Branch and appropriate legal action against the persons responsible. It is submitted that the continuing obstruction has not only affected the petitioners and their employees, but has also caused serious hardship to innocent customers who have been deprived of ordinary banking facilities.

3. Learned Senior Advocate submits that the dispute concerning the alleged fraudulent withdrawals and any consequential monetary claim of

the complainants is distinct from the issue of maintenance of law and order and cannot justify the forcible closure of, or unlawful obstruction to, a lawful banking establishment. It is further submitted that the repeated acts of interference are contrary to the mandate of Section 36AD of the Banking Regulation Act, 1949, and also disclose circumstances requiring consideration under the applicable penal law. The respondent authorities are under a public and statutory duty to maintain law and order, protect persons and property, prevent unlawful obstruction and act upon complaints disclosing cognizable offences. Despite repeatedly approaching the competent authorities, the petitioners were allegedly left without effective protection and were, therefore, constrained to invoke the extraordinary jurisdiction of this Court. The petitioners accordingly sought a writ of mandamus directing adequate, effective and continuous police protection for the peaceful operation of the Charoda Branch, preventive measures against unlawful obstruction or intimidation, consideration of and appropriate action upon the complaints dated 03.09.2026 and 05.09.2026, and such further directions as may be necessary to ensure the lawful functioning of the Bank, without prejudice to the rights of the complainants to pursue their monetary claims before the appropriate forum in accordance with law.

4. It transpires from the order-sheet dated 24.09.2026 that this Court had directed the concerned Collector, the Director General of Police and the concerned Superintendent of Police to file their respective affidavits explaining as to why no action had been taken on the applications/complaints submitted by the petitioners with regard to the allegations that the private respondents had exerted pressure upon them and had virtually obstructed the functioning of the Bank. According to the petitioners, the Bank had remained closed since 21.08.2026, as a result

of which approximately 5,000 account holders were unable to operate their bank accounts. The concerned Collector and the Superintendent of Police were further directed to take necessary steps to ensure that the functioning of the Bank was resumed at the earliest.

5. Pursuant to the aforesaid order dated 24.09.2026, the Superintendent of Police (Rural) and the concerned police authorities have filed their respective affidavits, stating therein that the concerned Branch has since been opened and regular banking operations have been resumed. It has further been stated that the beneficiaries have also approached the concerned authorities seeking refund of the amounts involved and that efforts are being made for refund of the said amounts to the 22 beneficiaries who are stated to have been cheated. The relevant part of the affidavit filed by the Director General of Police, State of Chhattisgarh, is reproduced hereinbelow:

> *6. That, it is respectfully submitted that the police authorities ensured that no part of the bank premises was damaged or any act of violence, unrest or breach of peace and tranquility ever occurred during the time when the bank premises was kept close by the bank officials. It is respectfully submitted that the police personnel ensured that no law and order situation occurred and there is breach of peace. However, it is submitted that the authorities constantly tried to convince the effected victims that, the FIR has been already lodged against the erring persons of the bank, the matter is being investigated by the concerned police station and after investigation the chargesheet should be filed in accordance with the law. They were duly counseled to not to take*

untoward steps and ensure to restrain from any act which may be considered as breach of peace. It is also submitted that the officers of the bank were also requested to take necessary steps to open the banks and start their regular banking business. It is respectfully submitted that the daily diary from 21.08.2026, 22.08.2026, 24.08.2026, 25.08.2026, 26.08.2026, 27.08.2026 and 28.08.2026 are being placed on record to show that constant vigilance/ surveillance was carried by the police. Copies of the said daily diary from 21.08.2026, 22.08.2026, 24.08.2026, 25.08.2026, 26.08.2026, 27.08.2026 and 28.08.2026 are being annexed herewith collectively as ANNEXURE A/1 (Colly.).

7. That it is most respectfully submitted that the said bank has been reopened on 28.09.2026 and a diary entry through the concerned police station on 28.09.2026 in this respect is placed on record as ANNEXURE A/2. It is respectfully submitted that the office of Superintendent of Police (Rural), Raipur has duly informed that the Inspector General of Police (PHQ) Raipur regarding the aforesaid facts and has appreciated the senior officer regarding the steps taken by the authorities and also that said bank has duly reopened on 28.09.2026 at 09:00 AM. The intimation by the deponent has been sent to the office of Inspector General of Police on 28.09.2026 is annexed herewith as ANNEXURE A/3.

8. The deponent most respectfully reiterate that he has utmost regard and respect for the Hon'ble Court's directions issued from time to time and it is his sincere endeavour to fully comply with the said directions in its true letter and spirit.

6. In view of the aforesaid developments, and particularly considering that the directions issued by this Court vide order dated 24.09.2026 have been duly complied with and the banking operations have since resumed, no further order is required to be passed in the present petition.

7. Accordingly, the petition is **disposed of**.

8. Needless to observe, the concerned authorities shall ensure that the aforesaid process is duly carried out in accordance with law. In the event any grievance still survives, it shall be open to the concerned persons to approach the appropriate forum in accordance with law.

Sd/-
(Amitendra Kishore Prasad)
Judge

Abhishek