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WA-2605-2025

IN THE HIGH COURT OF MADHYA PRADESH  
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE SANJEEV SACHDEVA,  
CHIEF JUSTICE

&

HON'BLE SHRI JUSTICE VINAY SARAF

ON THE 5<sup>th</sup> OF JANUARY, 2026

WRIT APPEAL No. 2605 of 2025

*MAMTA BHOR*

*Versus*

*THE STATE OF MADHYA PRADESH AND OTHERS*

.....  
Appearance:

*Shri Manoj Chaturvedi - Advocate for appellant.*

*Dr. S.S. Chauhan - Government Advocate for respondents/State.*  
.....

ORDER

*Per. Hon'ble Shri Justice Sanjeev Sachdeva, Chief Justice*

1. Appellant impugns order dated 31.07.2025 whereby a writ petition filed by the appellant seeking a direction to the State to register an FIR on the complaint of appellant has been dismissed on the ground that appellant has an efficacious alternative remedy of redressal of her grievance in terms of Section 156(3) of Cr.P.C./Section 175(3) of B.N.S.S., 2023.
2. Learned counsel appearing on behalf of State on advance notice raises a preliminary objection with regard to maintainability of a writ appeal, since the writ petition was filed seeking a direction for registration of an FIR.



3. Reference may be had to the judgment of Hon'ble Supreme Court in the case of *Ram Kishan Fauji Vs. State of Haryana, (2017) 5 SCC 533*, wherein Supreme Court has specifically held that a writ appeal would not be maintainable in a case emanating out of proceedings under Article 226 of the Constitution of India which were criminal in nature.
4. In view of the above, we hold that the subject writ appeal is not maintainable. The same is accordingly, dismissed as not maintainable.

(SANJEEV SACHDEVA)  
CHIEF JUSTICE

(VINAY SARAF)  
JUDGE

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