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WP-3937-2026

IN THE HIGH COURT OF MADHYA PRADESH
AT GWALIOR

BEFORE

HON'BLE SHRI JUSTICE RAJESH KUMAR GUPTA

ON THE 30th OF JULY, 2026WRIT PETITION No. 3937 of 2026

*SHASHIKANT JATA V ALIAS SHASHIKANT GOYAL ALIAS SHASHI
KAPOOR*

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

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Appearance:

Mr. Rahul Bansal - Advocate for the petitioner.

Mr. B.K.Tyagi - Govt. Advocate for respondent/State.

Mr. Vijay Kumar Jha - Advocate for the respondent [R-3].
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ORDER

Present petition under Article 226 of Constitution of India has been preferred seeking quashment of FIR No.53 of 2025 dated 01.06.2025 registered as P.S. Endori, District Bhind under Sections 308(2), 308(4), 308(6), 308(7), 296, 351(2) and 3(5) of BNS.

2.The impugned FIR forming the subject matter of the present writ petition arises from a complaint by one Kaptan Singh Kushwaha, S/o Sundarpal Kushwaha, Sarpanch of the Sherpur Gram Panchayat, who has alleged that the petitioner, viz., Shashikant Goyal, and another journalist, one Pritam Singh, had approached him 8-9 months prior to the filing of the complaint and threatened to file complaints regarding his work at the panchayat and publish false news against him if he did not pay Rs. 50,000/-. The said complaint forms part of a series of FIRs lodged by the Bhind Police



against journalists who are being persecuted by Dr. Asit Yadav, Superintendent of Police, Bhind, on purported complaints by persons against whom the petitioner and other journalists have conducted investigative journalism and published news reports. The petitioner had published two articles in the Bejod Ratna newspaper on 28.05.2024 and 05.06.2024, whereby the petitioner unearthed and exposed a scam and corruption, inter alia, perpetrated by the Sarpanch of the Sherpur Gram Panchayat. This led to the suspension of officials and the attachment of the panchayat, which ultimately resulted in the filing of the FIR against the present petitioner merely in retaliation.

3. The Petitioner seeks the quashing of the Impugned FIR on the grounds that a *prima facie* appreciation of the allegations fails to make out any offence under Sections 308(2), 308(4), 308(6), 308(7), 296, 351(2) and 3(5) of BNS. The Petitioner contends that the allegations are so absurd and inherently improbable that no prudent person could reach a just conclusion that there are sufficient grounds for proceeding.

5. The Petitioner had conducted investigative journalism and published news reports inter alias against the Complainant, unearthing a corruption scandal of Rs. 25 lakhs in Sherpur Gram Panchayat, one year prior to the filing of the purported complaint and registration of the FIR which had led to inquiry and suspension of officials, and attachment of the panchayat property. Thus, in this context, it is evident that the complainant, in connivance with Bhind Police, has filed the present complaint as a blow-back and retaliation to the various articles authored by the Petitioner



exposing his corruption. The complaint has been filed by the Complainant with a significant and unexplained delay of more than 8-9 months. The uncontroverted allegations made in the Impugned FIR or in the purported complaint, do not disclose any offence, or make out a case against the Petitioner.

6. Notably, the FIR was lodged without a preliminary inquiry and just one day after the Petitioner had been granted a protection order by the Hon'ble Supreme Court. The Petitioner maintains that the FIR is attended with *mala fides* and was maliciously instituted with the ulterior motive of seeking vengeance and spiting the Petitioner due to a personal grudge. Such actions are intended to have a "chilling effect" on the profession of journalism and the right to freedom of speech and expression under Article 19(1)(a) of the Constitution. Consequently, the Impugned FIR is liable to be quashed in accordance with the principles established by the Hon'ble Supreme Court in the case of **State of Haryana & Ors. vs. Bhajan Lal & Ors.** (1992 Supp (1) SCC 335).

6. Counsel for the petitioner submits that the Petitioner, a journalist with Bejod Ratna Newspaper and other journalists, reported on the Sand Mafia in the Chambal region and alleged police excesses by the Bhind Police. Following these reports, the Petitioner and several other journalists were "invited" to the office of SP Asit Yadav on the pretext of tea, where they were allegedly physically assaulted, battered, and intimidated by the SP and numerous subordinates (including SHOs of various police stations). During this assault, the Petitioner was threatened with consequences similar



to other journalists who had been stripped and beaten.

7. It is further submitted that Two FIRs were registered against the Petitioner (FIR No. 214/2025 at P.S. Kotwali City and FIR No. 13/2025 at P.S. Bharauli), both of which are currently challenged before the High Court in pending writ petitions (WP/34590/2025 and WP/22589/2025 respectively).

8. Following alleged police violence, the Petitioner held a press conference in Bhopal with journalist Amarkant Singh Chouhan, filed a CM Helpline complaint, and obtained a medical examination at the District Hospital, Bhopal confirming trauma and abrasions. Press clubs in Madhya Pradesh and Indore also demanded action against the responsible Bhind police officials.

9. SP Asit Yadav of Bhind issued a public advisory on his official Facebook page labeling YouTubers and journalists as "extortionists." On the intervening night of May 4–5, 2025, the Petitioner and Amarkant Singh Chouhan were intercepted under the guise of traveling to Delhi, taken to SP Asit Yadav's bungalow at around 3:00 AM, threatened with false prosecutions, and forced to record a coerced video statement claiming the matter was "resolved," which the police subsequently circulated online. In light of the mala fide actions, police coercion, and manufactured compromises, the petitioner asserts that the FIRs deserve to be quashed.

10. Per contra, the Respondents contend that the Petitioner is not a victim but an opportunist. They allege he misused his position as a journalist to extort and blackmail the persons. They claim the petition is based on



"false and frivolous" allegations intended to shield himself from criminal liability. It is further submitted that in similar circumstances, other petitions were dismissed by this Court, in such circumstances, no interference is warranted in present facts and circumstances of the case.

11. Counsel for Respondent No. 3 drew the Court's attention to the documents annexed to this petition as Annexure R/1. This document is a 'Special Information' notice issued by the IGP, Chambal Zone, Home Department of Madhya Pradesh, and the PRO, Bhopal, addressed to the S.P., Bhind, which reads as follows:

"In Bhind district, for the past some time, through various sources of information, continuous information is being received that some organized gang of YouTubers /WhatsApp news are sending news to the public and government departments like Sarpanch, secretaries, other departments, Anganwadi workers, government teachers, Mining Department, RMP operated clinics, and continuously demanding money and through extortion (blackmailing) economic benefits and other personal benefits are being obtained, which is completely illegal.

Therefore, everyone is informed in public interest that if you are extorted by such organized gang, then immediately inform the police. The above act is a punishable offense under the section of Extortion, which has the provision of punishment up to life imprisonment."

12. In view of the above, as well as numerous complaints regarding unnecessary harassment by journalists, including the petitioner, the action must be taken to demonstrate that the complaints lodged by the police are not the result of revenge or personal grudges. Under these circumstances, no interference by this Court is warranted.

13. Having heard the learned counsel for the parties and upon a



meticulous perusal of the record, this Court is of the considered opinion that no case for interference or quashing of the impugned FIR at this nascent stage is made out under Article 226 of the Constitution of India.

14. The core allegations in FIR No. 53/2025 disclose specific imputations regarding extortion and threats made to a local public functionary. While the petitioner contends that these proceedings are a retaliatory blow-back for investigative journalism unearthing irregularities in the Sherpur Gram Panchayat, the respondents have brought on record material pointing toward a broader pattern of alleged systematic extortion by certain local media elements within the district, as corroborated by the 'Special Information' notice issued by the Inspector General of Police, Chambal Zone.

15. It is a well-settled principle of criminal jurisprudence, as repeatedly underscored by the Hon'ble Supreme Court, that the extraordinary powers under Article 226 or Section 482 of the CrPC/Section 528 of the BNSS ought not to be exercised to stifle a legitimate prosecution where the allegations, *prima facie*, disclose the commission of a cognizable offence. The defense of *mala fides*, institutional friction, or prior journalistic exposés are matters of evidentiary value that require proper testing during trial and cannot serve as grounds for a summary termination of criminal proceedings.

16. Accordingly, balancing the rival contentions and finding that the contested issues involve disputed questions of fact best evaluated by the trial court, therefore, the present writ petition stands **dismissed**.

17. Interim orders, if any, stand vacated. However, it is clarified that



any observations made herein are strictly for the disposal of the instant petition and shall not prejudice the rights or contentions of either party during the course of the trial.

**(RAJESH KUMAR GUPTA)
JUDGE**

(LJ*)