



CNR: KAHC010018132024

NC: 2026:KHC:54017
CRL.P No. 377 of 2024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE RAJESH RAI K

CRIMINAL PETITION NO. 377 OF 2024

BETWEEN:

1. SRI.MOHAN,
S/O LATE VENKATARAMANAPPA
AGED ABOUT 24 YEARS,
2. SRI.YASHAVANTH,
S/O RAVIKUMAR,
AGED ABOUT 19 YEARS,
3. SRI.MANOJ,
S/O LATE VENKATARAMANAPPA,
AGED ABOUT 22 YEARS,
4. SRI.SUBHASH G.K.,
S/O KRISHNAMURTHY,
AGED ABOUT 19 YEARS,
5. SRI.DARSHAN,
S/O NAGARAJ,
AGED ABOUT 19 YEARS,

ALL ARE R/AT GONAKANAHALLI VILLAGE,
JADIGENAHALLI HOBLI, HOSAKOTE TALUK
BENGALURU DISTRICT PIN-562 114.

...PETITIONERS

(BY SRI. A.S.KULKARNI, ADVOCATE)

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by PANKAJA S
Location: HIGH
COURT OF
KARNATAKA



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AND:

1. THE STATE OF KARNATAKA
BY HEBBAGODI POLICE STATION,
BENGALURU DISTRICT-560 099
REPRESENTED BY
STATE PUBLIC PROSECUTOR,
HIGH COURT BUILDINGS,
BANGALORE-560 001.
2. SHRI RAJAPPA @ RAJA REDDY,
S/O LATE GURAPPA REDDY,
AGED ABOUT 60 YEARS,
R/AT HAROHALLI,
SARJAPURA HOBLI, ANEKAL TALUK
BENGALURU DISTRICT PIN-562 112.

...RESPONDENTS

(BY SRI.MAHESHA P., HCGP FOR R-1;
SRI.S.VASANTH MADHAV, ADVOCATE FOR R-2)

THIS CRL.P IS FILED U/S.482 OF CR.P.C PRAYING TO
QUASH THE CHARGE SHEET AGAINST THE PETITIONERS
ACCUSED NO.1 TO 5 IN HEBBAGODI POLICE STATION CRIME
NO.259/2023 (C.C.NO.18035/2023) FOR THE ALLEGED
OFFENCE P/U/S.306,34 OF IPC ON THE FILE OF THE LEARNED
IV ADDITIONAL CIVIL JUDGE AND JUDICIAL MAGISTRATE
FIRST CLASS, ANEKAL, BENGALURU RURAL DISTRICT.

THIS PETITION, COMING ON FOR ADMISSION, THIS DAY,
ORDER WAS MADE THEREIN AS UNDER:



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CORAM: HON'BLE MR. JUSTICE RAJESH RAI K

ORAL ORDER

Learned counsel for the petitioners submits that he may be permitted to withdraw the petition against petitioner No.1 / accused No.1.

Placing reliance on the submission, the petition is ***dismissed*** as against petitioner No.1/accused No.1.

AS REGARDS PETITIONER NOS.2 to 5/ACCUSED NOS.2 to 5,

THE MATTER IS TAKEN UP FOR CONSIDERATION.

This petition is filed under Section 482 of Cr.P.C. to quash the proceedings in CC No.18035/2023, arising out of Crime No.259/2023 dated 03.06.2023, filed by the Hebbagodi Police Station, Bengaluru Rural, against the petitioners for the offences punishable under Sections 306 r/w 34 of IPC pending on the file of IV Addl. Civil Judge and JMFC, Anekal, Bengaluru Rural District.

2. The brief facts of the case are that respondent No.2 lodged the complaint before respondent No.1-Police alleging



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that, on 03.06.2023, his son, namely Sandeep, who was working in ITC Company, committed suicide. Upon coming to know about the incident, the complainant, along with his brother, went to the spot, where they found a death note in the pocket of the deceased-Sandeep. In the said death note, the deceased had allegedly stated that the accused persons were responsible for his death and that they had obstructed him from maintaining a relationship with a girl by name Sinchana. It is further alleged in the complaint that accused No.1 was in love with the said Sinchana and, therefore, all the accused persons were harassing the deceased. On the basis of the said death note, the complainant lodged the complaint, pursuant to which an FIR came to be registered against the petitioners, who were arrayed as accused Nos.2 to 5. Subsequently, respondent No.1-Police conducted investigation and laid charge sheet against all the accused persons for the aforementioned offences. The learned Magistrate took cognizance of the said offences. Aggrieved by the same, the petitioners have preferred the present petition.



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3. Heard the learned counsel for the petitioners and the learned HCGP. Despite service of notice, there is no representation for respondent No.2.

4. Apart from urging several contentions, the learned counsel for the petitioners primarily contended that, on perusal of the averments made in the complaint and the charge sheet, it is evident that accused No.3 is the brother, whereas accused Nos.2, 4 and 5 are the associates of accused No.1, and they have nothing to do with the alleged suicide of the deceased. According to him, accused No.1-Mohan was in love with a girl by name Sinchana, and the deceased was also in love with the said girl. In that regard, accused No.1 had threatened the said Sinchana not to continue her relationship with the deceased. As far as the present petitioners are concerned, there is no allegation that they had any intention to instigate, aid or abet the deceased to commit suicide. Even in the death note, the primary allegations are directed against accused No.1. As such, he contended that the continuation of the proceedings against the present petitioners would amount to abuse of process of Court. Accordingly, he prays to allow the petition.



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5. *Per contra*, the learned HCGP opposed the prayer on the ground that the charge sheet has already been filed and the statements of all the witnesses disclose the participation of the petitioners in the alleged crime. He further contended that the contents of the death note corroborate the allegations with regard to the commission of the aforesaid offences by the petitioners. Accordingly, he prays to dismiss the petition.

6. I have given my anxious consideration both on the submission and perused the entire materials available on record.

7. On perusal of the averments made in the complaint and the charge sheet, it is undisputed that the deceased-Sandeep committed suicide in connection with his love affair with one Sinchana. The alleged death note recovered from the pocket of the deceased reveals that accused No.1 was also in love with the said Sinchana and that subsequently the deceased developed relationship with her. In that regard, accused No.1 allegedly threatened the deceased. The allegation against the present petitioners is that they, along with accused No.1, had also threatened the deceased. However, in the complaint as



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well as in the charge sheet, except for making such omnibus allegations, no specific date, time or manner in which the petitioners allegedly threatened or instigated the deceased to commit suicide is forthcoming.

8. Nevertheless, in order to attract the offence punishable under Section 306 of IPC, there must be material to establish that the accused had, by their acts or conduct, instigated, aided or abetted the deceased to commit suicide. In the instant case, even the contents of the alleged suicide note do not disclose any such overt act on the part of the present petitioners. There is also no material to suggest that, by their words or conduct, the petitioners intended to push the deceased into such a position that he was left with no other reasonable alternative except to take his own life. In such circumstances the Hon'ble Apex Court in the case of **VINOD SHIVAKUMAR vs. THE STATE OF MAHARASHTRA** reported in **2026 INSC 867** in paragraph No.25 reads as under:

"25. We further find that the prosecution has failed to prima facie establish that the Appellant had any intention to instigate, aid or abet the deceased to commit suicide. The suicide notes undoubtedly reflect the



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anguish of the deceased, however, they do not disclose any act on the part of the Appellant from which the requisite mens rea can reasonably be inferred. There is also no material to suggest that the Appellant, by his words or conduct, intended to push the deceased into such a position that she was left with no reasonable alternative except to take her own life. No doubt, a young Range Forest Officer lost her life in an unfortunate incident. However, criminal liability under Section 306 IPC cannot rest upon the tragedy of the outcome alone; it must be founded upon the statutory ingredients of Section 306, which are absent in the present case."

9. Placing reliance on the above judgment of the Hon'ble Apex Court, I am of the considered opinion that continuation of the proceedings against these petitioners would amount to abuse of process of Court. Accordingly, I proceed to pass the following:

ORDER

- i. The criminal petition is ***allowed*** in respect of petitioner Nos.2 to 5/accused Nos.2 to 5.
- ii. The proceedings against petitioner Nos.2 to 5/accused Nos.2 to 5 in CC No.18035/2023, arising out of Crime No.259/2023 dated 03.06.2023, filed by the Hebbagodi Police Station, Bengaluru City, for the offences punishable under Sections 306 r/w 34 of IPC pending on the file of IV Addl. Civil Judge and



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JMFC, Anekal, Bengaluru Rural District,
Bengaluru, are hereby quashed.

- iii. However it is made clear that the proceedings
shall continue against petitioner No.1/accused
No.1.

**SD/-
(RAJESH RAI K)
JUDGE**

GPG
List No.: 1 Sl No.: 15