



CNR: KAHC010086552026

NC: 2026:KHC:50190
CRL.P No. 1841 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 15TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

CRIMINAL PETITION NO. 1841 OF 2026

BETWEEN:

MS. MOHANA PRIYA G,
D/O GANESH H.M.
AGED ABOUT 31 YEARS,
R/AT NO.23/24, 1ST MAIN CROSS,
MARUTHI NAGAR, VASANTHAPURA,
BANGALORE-560061.

...PETITIONER

(BY SRI ANANDA H.J, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
REPRESENTED BY POLICE SUB-INSPECTOR,
KUMARASWAMY LAYOUT POLICE STATION,
BANGALORE-560078.
2. I SPAN SERVICES PVT LTD.,
OFFICE AT 2397/19, 2ND FLOOR,
SMP ARCADE, KUMARASWAMY LAYOUT,
18TH MAIN ROAD, BANGALORE-560078
REPRESENTED BY ITS AUTHORIZED DIRECTOR,
MRS. SHUBHA CHITTARANJAN.

...RESPONDENTS

(BY SRI G S ARUNA, HCGP FOR R1,
SRI GANAPATHI BHAT, ADVOCATE FOR R2)

THIS CRL.P IS FILED U/S 482 CR.P.C (U/S 528 BNSS) BY
THE ADVOCATE FOR THE PETITIONER PRAYING THAT THIS
HONOURABLE COURT MAY BE PLEASED TO QUASH THE FIR
REGISTERED AGAINST THE PETITIONER IN CR.NO.366/2025
REGISTERED BY KUMARASWAMY LAYOUT P.S., BANGALORE,

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RAMNATH HEGDE





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FOR THE OFFENCES P/U/S 316,316(5),318,305 OF BNS, 2023, U/S 66 AND 72 OF I.T ACT, 2000, VIDE AT ANNEXURE-A, PENDING ON THE FILE OF THE IV ACMM, BENGALURU CITY IN PCR.NO.21147/2025.

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

CORAM: HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

ORAL ORDER

Heard the learned counsel appearing for the petitioner and the learned High Court Government Pleader appearing for respondent No.1 and the learned counsel appearing for respondent No.2.

2. The petition is filed to quash the FIR in Crime No.366/2025 registered by Kumaraswamy Layout Police Station for the offences punishable under Sections 316, 316(5), 318, 305 of Bharatiya Nyaya Sanhita, 2023, ('BNS') and Sections 66 and 72 of Information Technology Act, 2000 ('IT Act') pending before the IV Additional Chief Metropolitan Magistrate, Bengaluru in P.C.R No.21147/2025.

3. Learned counsel for the petitioner would submit that the petitioner was a former employee of the complainant-Company and the terms and conditions of employment were

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reduced into writing. The said terms and conditions would clearly demonstrate that in the event of a dispute between the employer and employee, the same has to be resolved by the competent Civil Court in Bengaluru city. Thus, a criminal complaint is only untenable.

4. It is his further submission that the violation of the terms and conditions of complainant by the petitioner, if any, does not amount to a criminal offence, as such, the complaint could not have been registered.

5. Learned counsel for the respondent No.1-State would submit that the contents of the complaint disclose cognizable offences as there is allegation of diversion of funds belonging to the complainant as well as diversion of the data from the complainant-Company and same attracts the provisions of the IT Act.

6. Learned counsel for the second respondent would also submit that the petitioner though was put on strict terms as to the nature of employment, has violated the terms and

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conditions which also constitutes offence under the provisions of Indian Penal Code, 1860, BNS and IT Act.

7. It is the contention that the petitioner has not only diverted the complainant's clients to her parallel business which was prohibited under the agreement but also diverted the funds paid by the complainant's clients and also used the complainant's gadgets and software to run the petitioner's parallel business which was completely prohibited under the agreement and same amounts to cheating.

8. The Court has considered the contentions raised at the Bar and perused the records.

9. In paragraph No.19 of the complaint, it is stated that the petitioner has diverted the funds/fees paid by the complainant's clients to her own account. If that is the case, it amounts to an offence. In addition, there is also an allegation in paragraph No.13 of the complaint, wherein it is alleged that the petitioner has diverted the complainant's clients, as such, the complainant has suffered the loss. The petitioner has

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allegedly transferred and used the complainant's software and other techniques.

10. The contents of the complaint *prima facie* attract the provisions of the cognizable offences. However, which of these allegations are true have to be considered only after investigation. Thus, there has to be investigation. The petition cannot be allowed to quash the complaint and an FIR before investigation. It is for the police to file appropriate report. Hence, the petition is ***dismissed***.

11. It is made clear that the Court has not expressed anything on the merits of the allegations.

12. All contentions kept open.

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(ANANT RAMANATH HEGDE)
JUDGE

CHS
List No.: 2 Sl No.: 7