



CNR: KAHC010101162024

NC: 2026:KHC:48443
CRL.P No. 1703 of 2024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 7TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE RAJESH RAI K

CRIMINAL PETITION NO. 1703 OF 2024

BETWEEN:

1. MR PAVANA B.R
AGED ABOUT 24 YEARS
S/O RAMESH
BUVANAHALI VILLAGE
BOOKANAKERE HOBLI
KR PETE TALUK
MANDYA DISTRICT
KARNATAKA-574 201
2. MR PRASANNA
AGED ABOUT 22 YEARS
S/O RAMESH
BUVANAHALI VILLAGE
BOOOKANAKERE HOBLI
KR PETE TALUK
MANDYA DISTRICT
KARNATAKA-574 201

Digitally signed
by PANKAJA S
Location: HIGH
COURT OF
KARNATAKA

...PETITIONERS

(BY SRI. RAJARAMA S, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
KR PETE RURAL POLICE STATION
REPRESENTED BY SPP
HIGH COURT BUILDING
BENGALURU 560 001
2. SMT BHARATHI



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AGED ABOUT 40 YEARS
W/O KRISHNE GOWDA
BUVANAHALI VILLAGE
BOOKANAKERE HOBLI
KR PETE TALUK
MANDYA DISTRICT
KARNATAKA-574 201

...RESPONDENTS

(BY SRI. MAHESHA P, HCGP FOR R1,
SRI. K.L. SREENIVAS, ADVOCATE FOR R2)

THIS CRL.P IS FILED U/S 482 OF CR.PC PRAYING TO ALLOW THIS PETITION AND QUASH THE ENTIRE PROCEEDINGS IN THE SENIOR CIVIL JUDGE AND J.M.F.C KRISHNARAJAPETE IN C.C.NO.560/2023 IN CR.NO.233/2023, FOR THE OFFENCE P/U/S 504,323,354B,506 R/W 34 OF IPC.

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

CORAM: HON'BLE MR. JUSTICE RAJESH RAI K

ORAL ORDER

This petition is filed under Section 482 of Cr.P.C. to quash the proceedings against the petitioners/accused Nos.3 and 4 in C.C.No.560/2023, arising out of Crime No.233/2023 of K.R. Pet Rural Police Station, Mandya, for the offences punishable under Sections 504, 323, 354-B, 506 read with Section 34 of IPC, pending on the file of Senior Civil Judge and JMFC, Krishnarajpet, Mandya.

2. The facts of the case is that one Bharathi w/o Krishnegowda lodged a complaint before respondent No.1-



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Police on 23.09.2023 alleging that her family has been cultivating and harvesting 1 acre 19 guntas of land situated in Sy.No.67/10 at Buvanahally Village, Bookanakere Hobli, K.R. Pet Taluk, Mandya. Things stood thus, on 23.09.2023 at about 09:30 a.m. the petitioners i.e., accused Nos.3 and 4 along with others, trespassed the above land along with the JCB and a trench was taken around the property with the help of JCB. On questioning the said act, the petitioners and others assaulted the complainant-respondent No.2 herein, abused in filthy language and outraged her modesty. As such, a case and counter case have been lodged by respondent No.2 i.e., Bharathi in Crime No.233/2023 and accused No.2 i.e., Prabhavathi in Crime No.232/2023.

3. After investigation, respondent No.1-Police laid charge sheet in both the cases for the similar offences and the learned Sessions Judge took cognizance of the offences. Aggrieved by the same, the petitioners preferred this petition.

4. Heard learned counsel for the petitioners, learned High Court Government Pleader for respondent No.1 – State and learned counsel for respondent No.2.



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5. It is the primary contention of the learned counsel for the petitioners that on perusal of the complaint averments in respect of a civil dispute, a false complaint has been lodged by respondent No.2 against the petitioners by giving a criminal colour. According to him, except some omnibus allegations in the statement of the witnesses, absolutely no such specific allegations are forthcoming against the petitioners. Accordingly, he prays to allow the petition.

6. *Per contra*, learned counsel for respondent No.2 submitted that a counter case has been registered against respondent No.2 and her in-laws based on the complaint lodged by accused No.2 in the instant case, as such, the petitioners also admitted the incident in question. Now that both the cases are pending before the Senior Civil Judge and JMFC, K.R. Pet, Mandya, the proceedings against the petitioners cannot be quashed, at this stage.

7. I have given my anxious consideration both on the submissions made by the learned counsel for the respective parties and the documents made available on record.



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8. Admittedly, due to the incident dated 23.09.2023, a case and counter case have been registered against the petitioners and respondent No.2 in Crime No.232/2023 and Crime No.233/2023 respectively dated 23.09.2023. The case registered against respondent No.2-complainant is pending in C.C. No.52/2024 on the file of Senior Civil Judge and JMFC, K.R. Pet, Mandya, along with C.C.No.560/2023 registered against the petitioners. The accused No.2 in this case has stated that the incident was caused on 23.09.2023. As such, the only point arises for consideration is who are the aggressors. The said aspect has to be dealt by the Trial Court in a detailed trial. Moreover, it is stated by the learned counsel for respondent No.2 that both the cases are set up for evidence. In such circumstances, I am of the considered view that this is not a fit case to exercise the power under Section 482 of Cr.P.C. The petition lacks merit and is accordingly ***dismissed***.

SD/-
(RAJESH RAI K)
JUDGE

HKV
List No.: 1 Sl No.: 55