HC-KAR
CNR: KAHC010104222025

NC: 2026:KHC:36738
WP No. 4405 of 2025
C/W WP No. 14670 of 2016
WP No. 19462 of 2016
AND 11 OTHERS

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE MOHAMMAD NAWAZ

WRIT PETITION NO. 4405 OF 2025 (GM-RES)

C/W

WRIT PETITION NO. 14670 OF 2016 (GM-RES)

WRIT PETITION NO. 19462 OF 2016 (GM-RES)

WRIT PETITION NO. 20913 OF 2016 (GM-RES)

WRIT PETITION NO. 22726 OF 2016 (GM-RES)

WRIT PETITION NO. 27272 OF 2016 (GM-RES)

WRIT PETITION NO. 27276 OF 2016 (GM-RES)

WRIT PETITION NO. 53095 OF 2016 (GM-RES)

WRIT PETITION NO. 53199 OF 2016 (GM-RES)

WRIT PETITION NO. 53212 OF 2016 (GM-RES)

WRIT PETITION NO. 53223 OF 2016 (GM-RES)

WRIT PETITION NO. 53234 OF 2016 (GM-RES)

WRIT PETITION NO. 16126 OF 2017 (GM-RES)

WRIT PETITION NO. 4403 OF 2025 (GM-RES)

Digitally signed by LAKSHMI T
Location: High Court of Karnataka

IN WP No. 4405/2025

BETWEEN:

MR. KRISHNA PRASAD
S/O VENKATARAMANA BHAT T.,
AGED ABOUT 65 YEARS,
PRACTISING COMPANY SECRETARY,
HAVING REGISTERED OFFICE AT

M/S. SHRI. K.P. AND ASSOCIATES,
NO.3426, NEW NO.24,
1ST F CROSS, R.P.C. LAYOUT,
VIJAYANAGAR,
BANGALORE-560 040.

...PETITIONER

(BY SRI. M.S. SHYAM SUNDAR, SENIOR ADVOCATE FOR
MS. JAITHRA J. NARAYAN, ADVOCATE (PH))

AND:

1 . STATE OF KARNATAKA BY
ANEKAL POLICE STATION,
REPRESENTED BY HCGP,
HIGH COURT OF KARNATAKA,
BANGALORE-560 001.

2. SMT. PRIYANKA B.S.
W/O MR. MADHUKAR ANGUR,
AGED ABOUT 35 YEARS,
RESIDING AT NO.2/3,
2ND CROSS,
DOLLARS SCHEME,
BTM 1ST STAGE,
BANGALORE-560 068.

…RESPONDENTS

(BY SRI. RAHUL RAI K., HCGP FOR R1;
SMT. ASHIMA MANDLA, ADVOCATE FOR R2 (VC))

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA READ WITH SECTION 482 OF THE CODE OF CRIMINAL PROCEDURE, PRAYING TO QUASH CHARGESHEET DATED 20.04.2015 IN C.C.NO.956/2015 ARISING OUT OF CRIME NO.105/2015 OF RESPONDENT POLICE STATION FOR THE OFFENCES UNDER SECTIONS 65, 66(B), 71, 73 AND 74 OF INFORMATION TECHNOLOGY ACT AND SECTION 465, 468, 469, 471, 474, 476 AND READ WITH

SECTION 34 OF IPC ARRAIGNING THE PRESENT PETITIONER AS ACCUSED NO.5 VIDE ANNEXURE-C.

IN WP No. 14670/2016

BETWEEN:

1. SHRI. ABHAY GOVIND CHEBBI
   S/O SHRI. G.B. CHEBBI,
   AGED ABOUT 30 YEARS,
   OCCUPATION: DIRECTOR,
   M/S. ALLIANCE BUSINESS SCHOOL,
   NO.100, 34TH MAIN, 2ND CROSS,
   DOLLARS SCHEME, BTM I STAGE,
   BANGALORE-560 068.

2. SHRI. PRAKASH SIDDAPPA
   S/O SHRI. B. SIDDAPPA,
   AGED ABOUT 39 YEARS,
   OCCUPATION: DIRECTOR,
   M/S. ALLIANCE BUSINESS SCHOOL,
   NO.100, 34TH MAIN, 2ND CROSS,
   DOLLARS SCHEME, BTM I STAGE,
   BANGALORE-560 068.

3. SMT. SHAILA CHEBBI GOVIND
   W/O SHRI G.B. CHEBBI,
   AGED ABOUT 56 YEARS,
   OCCUPATION: DIRECTOR,
   M/S. ALLIANCE BUSINESS SCHOOL,
   NO.100, 34TH MAIN, 2ND CROSS,
   DOLLARS SCHEME, BTM I STAGE,
   BANGALORE-560 068.

4. SMT. MALA MADIKERI SRINIVAS GOUDA
   W/O DR. SRINIVAS GOUDA,
   AGED ABOUT 54 YEARS,
   OCCUPATION: DIRECTOR,
   M/S. ALLIANCE BUSINESS SCHOOL,
   NO.100, 34TH MAIN, 2ND CROSS,

DOLLARS SCHEME, BTM I STAGE,
BANGALORE-560 068.

...PETITIONERS

(BY SRI. B.V. ACHARYA, SENIOR ADVOCATE FOR
SMT. VANDANA P.L., ADVOCATE FOR P1 & P2;
SRI. SANDESH J CHOUTA, SENIOR ADVOCATE FOR
SRI. CYRIL PRASAD PAIS, ADVOCATE FOR P3 & P4)

AND:

1. THE STATE OF KARNATAKA BY
THE DIRECTOR GENERAL OF POLICE,
OFFICE OF DGP,
NRUPATHUNGA ROAD,
BANGALORE-560 001.

2. THE SUPERINTENDENT OF POLICE
BANGALORE RURAL DISTRICT,
OFFICE OF THE SP,
VASANTHNAGAR,
BANGALORE-560 052.

3. THE STATION HOUSE OFFICER
ANEKAL POLICE STATION,
ANEKAL TOWN,
BANGALORE-562 106.

4. MR. KRISHNA MOHAN RAMINENI
W/O SHRI. RAMINENI,
AGED MAJOR,
NO.302, SDE,
SAI RESIDENCY, PLOT NO.88,
SRINAGAR COLONY,
HYDERABAD-500 073.

5. MR. BASAVARAJ ALLAPPA THELI
S/O MR. THELI,
AGED MAJOR,

OCCUPATION:
POLICE INSPECTOR, DCIB,
BANGALORE RURAL DISTRICT,
DISTRICT POLICE OFFICE,
BANGALORE-560 001.

6. MR. D.S. RAJENDRA
FATHER'S NAME NOT KNOWN,
AGED MAJOR,
OCCUPATION: CIRCLE POLICE INSPECTOR,
ANEKAL CIRCLE,
BANGALORE RURAL DISTRICT,
BANGALORE-562 106.

7. MR. NARAYANAPPA
FATHER'S NAME NOT KNOWN,
AGED MAJOR,
CLAIMS TO BE A FINGER PRINT AND
HAND WRITING EXPERT,
MUDRA ASSOCIATES,
NO.152, 12TH CROSS ROAD,
SARAKKI MAIN ROAD,
1ST STAGE, J.P. NAGAR,
BANGALORE-560 078.

…RESPONDENTS

(BY SRI. RAHUL RAI K., HCGP FOR R1-R3;
SRI. R. MANJUNATH, ADVOCATE FOR R4;
SRI. PRADEEP H.S., ADVOCATE FOR R7;
R5 & R6 SERVED)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA READ WITH SECTION 482 OF THE CODE OF CRIMINAL PROCEDURE, PRAYING TO: (A) QUASH CHARGESHEET DATED 10.08.2015 (VIDE ANNEXURE-A COLLY) FILED IN RESPECT OF CRIME NO.104/2015 OF RESPONDENT POLICE STATION; (B) QUASH ORDER OF THE COURT BELOW DATED 29.9.2015 (VIDE ANNEXURE-B) UNDER WHICH COGNIZANCE FOR THE OFFENCES UNDER SECTIONS 65, 66(B), 71, 73, AND 74 OF

INFORMATION TECHNOLOGY ACT AND SECTION 465, 468, 469, 471, 474, 476 AND READ WITH SECTION 34 OF IPC WAS TAKEN AGAINST THE PETITIONERS; (C) DIRECTION TO THE DIRECTOR GENERAL OF POLICE, KARNATAKA FOR INITIATING ACTION (BOTH DISCIPLINARY AND PENAL) AGAINST THE RESPONDENTS 3, 4 AND 5 FOR THEIR COLLECTIVE ILLEGAL AND UNLAWFUL ACTS OF CONDUCTING INVESTIGATION IN AN ILLEGAL MANNER, GENERATING FALSE EXPERT OPINIONS WITHOUT THE AUTHORITY OF LAW AND CIRCUMVENTING THE LEGAL PROCESS OF AN INVESTIGATION WITH MALAFIDES AS STATED IN THE WRIT PETITION.

IN WP No. 19462/2016

BETWEEN:

1. SMT. SHAILA CHEBBI GOVIND
   W/O SHRI G.B. CHEBBI,
   AGED ABOUT 56 YEARS,
   OCCUPATION: DIRECTOR,
   M/S. ALLIANCE BUSINESS SCHOOL,
   NO.100, 34TH MAIN, 2ND CROSS,
   DOLLARS SCHEME, BTM I STAGE,
   BANGALORE-560 068.

2. SMT. MALA MADIKERI SRINIVAS GOUDA
   W/O DR. SRINIVAS GOUDA,
   AGED ABOUT 54 YEARS,
   OCCUPATION: DIRECTOR,
   M/S. ALLIANCE BUSINESS SCHOOL,
   NO.100, 34TH MAIN, 2ND CROSS,
   DOLLARS SCHEME, BTM I STAGE,
   BANGALORE-560 068.

3. SHRI. ABHAY GOVIND CHEBBI
   S/O SHRI. G.B. CHEBBI,
   AGED ABOUT 30 YEARS,
   OCCUPATION: DIRECTOR,
   M/S. ALLIANCE BUSINESS SCHOOL,
   NO.100, 34TH MAIN, 2ND CROSS,

DOLLARS SCHEME, BTM I STAGE,
BANGALORE-560 068.

4. SHRI. PRAKASH BUDOOR
S/O SHRI. B. SIDDAPPA,
AGED ABOUT 39 YEARS,
OCCUPATION: DIRECTOR,
M/S. ALLIANCE BUSINESS SCHOOL,
NO.100, 34TH MAIN, 2ND CROSS,
DOLLARS SCHEME, BTM I STAGE,
BANGALORE-560 068.

5. SHRI. SUDHIR ANGUR
S/O SHRI. GUDDAPPA ANGUR,
AGED ABOUT 53 YEARS,
OCCUPATION: PRO-VICE CHANCELLOR,
ALLIANCE UNIVERSITY,
ANEKAL CHANDAPURA ROAD,
CHIKKA HAGADE,
BANGALORE-24.

...PETITIONERS

(BY SRI. SANDESH J. CHOUTA, SENIOR ADVOCATE FOR
SRI. CYRIL PRASAD PAIS, ADVOCATE FOR P1 & P2;
SRI. M.S. SHYAM SUNDAR, SENIOR ADVOCATE FOR
SMT. VANDANA P.L., ADVOCATE FOR P3 TO P5)

AND:

1. THE STATE OF KARNATAKA BY
THE PRINCIPAL SECRETARY TO
THE GOVERNMENT OF KARNATAKA,
MINISTRY OF HOME AFFAIRS,
VIDHANA SOUDHA,
BANGALORE-02.

2. THE STATE OF KARNATAKA BY
THE DIRECTOR GENERAL OF POLICE,
OFFICE OF THE DGP,

NRUPATHUNGA ROAD,
BANGALORE-02.

3. THE STATE OF KARNATAKA BY
THE SUPERINTENDENT OF POLICE,
BANGALORE RURAL DISTRICT,
OFFICE OF SP,
CHANDRIKA HOTEL CIRCLE,
MILLERS ROAD,
BANGALORE-01.

4. THE STATE OF KARNATAKA BY
ANEKAL POLICE STATION,
ANEKAL TOWN,
BANGALORE RURAL-100.
REPRESENTED BY
STATION HOUSE OFFICER.

5. MR. MALATESH
FATHER'S NAME NOT KNOWN,
AGED MAJOR,
OCCUPATION:
CIRCLE POLICE INSPECTOR,
ANEKAL CIRCLE,
BANGALORE RURAL DISTRICT,
BANGALORE RURAL-100.

6. MR. MADHUKAR ANGUR
S/O GUDDAPPA ANGUR,
AGED ABOUT 60 YEARS,
SHRI. MADHUKAR G ANGUR,
FORMER DIRECTOR OF
ALLIANCE SCHOOL,
SUSPENDED CHANCELLOR OF
ALLIANCE UNIVERSITY
RESIDING AT NO.48A, 27TH MAIN,
1ST CROSS, BTM 1ST STAGE,
BANGALORE-560 068.

7. KRISHNAMOHAN RAMINENI
S/O SHRI RAMINENI,
#302, SDE SAI RESIDENCY,
PLOT #88, SRINAGARA CLNY.,
HYDERABAD-500 073.

…RESPONDENTS

(BY SRI. RAHUL RAI K., HCGP FOR R1-R4;
SRI. ASHIMA MANDLA, ADVOCATE FOR R6;
SRI. S. PRASANNA KUMAR, ADVOCATE FOR R7;
R5 & R6 SERVED))

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA READ WITH SECTION 482 OF THE CODE OF CRIMINAL PROCEDURE, PRAYING TO: (A) QUASH THE COMPLAINT AND FIR IN CRIME NO.76/2016 IN ANNEX.-B OF RESPONDENT ANEKAL POLICE STATION; (B) DIRECTION TO THE RESPONDENTS 1 TO 3 FOR INITIATING ACTION AGAINST THE RESPONDENT 5 FOR HIS ILLEGAL AND UNLAWFUL ACTS STATED IN THE WRIT PETITION.

IN WP No. 20913/2016

BETWEEN:

1. SHRI. SUDHIR ANGUR
S/O SHRI. GUDDAPPA ANGUR,
AGED ABOUT 53 YEARS,
OCCUPATION: PRO-VICE CHANCELLOR,
ALLIANCE UNIVERSITY,
ANEKAL CHANDAPURA ROAD,
CHIKKA HAGADE,
BANGALORE-81.

2. SHRI. PRAKASH BUDOOR
S/O SHRI. B. SIDDAPPA,
AGED ABOUT 39 YEARS,
OCCUPATION: DIRECTOR,
M/S. ALLIANCE BUSINESS SCHOOL,
NO.100, 34TH MAIN, 2ND CROSS,

DOLLARS SCHEME, BTM I STAGE,
BANGALORE-560 068.

3. SMT. SHAILA CHEBBI GOVIND
W/O SHRI G.B. CHEBBI,
AGED ABOUT 56 YEARS,
OCCUPATION: DIRECTOR,
M/S. ALLIANCE BUSINESS SCHOOL,
NO.100, 34TH MAIN, 2ND CROSS,
DOLLARS SCHEME, BTM I STAGE,
BANGALORE-560 068.

4. SMT. MALA MADIKERI SRINIVAS GOUDA
W/O DR. SRINIVAS GOUDA,
AGED ABOUT 54 YEARS,
OCCUPATION: DIRECTOR,
M/S. ALLIANCE BUSINESS SCHOOL,
NO.100, 34TH MAIN, 2ND CROSS,
DOLLARS SCHEME, BTM I STAGE,
BANGALORE-560 068.

5. SHRI. ABHAY GOVIND CHEBBI
S/O SHRI. G.B. CHEBBI,
AGED ABOUT 30 YEARS,
OCCUPATION: DIRECTOR,
M/S. ALLIANCE BUSINESS SCHOOL,
NO.100, 34TH MAIN, 2ND CROSS,
DOLLARS SCHEME, BTM I STAGE,
BANGALORE-560 068.

6. SHRI. GOVIND CHEBBI
S/O MR. B. CHEBBI,
AGED ABOUT 65 YEARS,
NO.100, 34TH MAIN, 2ND CROSS,
DOLLARS SCHEME, BTM I STAGE,
BANGALORE-560 068.

...PETITIONERS

(BY SRI. JAI KUMAR S. PATIL, SENIOR ADVOCATE FOR
SMT. VANDANA P.L., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA BY
THE PRINCIPAL SECRETARY TO
THE GOVERNMENT OF KARNATAKA,
MINISTRY OF HOME AFFAIRS,
VIDHANA SOUDHA,
BANGALORE-01.

2. THE STATE OF KARNATAKA BY
THE DIRECTOR GENERAL OF POLICE,
OFFICE OF THE DGP,
NRUPATHUNGA ROAD,
BANGALORE-01.

3. THE STATE OF KARNATAKA BY
THE SUPERINTENDENT OF POLICE,
BANGALORE RURAL DISTRICT,
OFFICE OF SP,
CHANDRIKA HOTEL CIRCLE,
MILLERS ROAD,
BANGALORE-01.

4. THE STATE OF KARNATAKA BY
ANEKAL POLICE STATION,
ANEKAL TOWN,
BANGALORE-01.
REPRESENTED BY
STATION HOUSE OFFICER.

5. MR. MALATESH
FATHER'S NAME NOT KNOWN,
AGED MAJOR,
OCCUPATION:
CIRCLE POLICE INSPECTOR,
ANEKAL CIRCLE,

BANGALORE RURAL DISTRICT,
BANGALORE-81.

6. MR. MADHUKAR ANGUR
S/O GUDDAPPA ANGUR,
AGED ABOUT 60 YEARS,
SHRI. MADHUKAR G ANGUR,
FORMER DIRECTOR OF
ALLIANCE SCHOOL,
SUSPENDED CHANCELLOR OF
ALLIANCE UNIVERSITY,
RESIDING AT NO.48A, 27TH MAIN,
1ST CROSS, BTM 1ST STAGE,
BANGALORE-560 068.

…RESPONDENTS

(BY SRI. RAHUL RAI K., HCGP FOR R1-R4;
SMT. ASHIMA MANDLA, ADVOCATE FOR R6 (VC);
R5-SERVED)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA READ WITH SECTION 482 OF THE CODE OF CRIMINAL PROCEDURE, PRAYING TO: (A) QUASH THE COMPLAINT AND FIR IN CRIME NO.108/2016 IN ANNEX.A TO B DATED 04.04.2016 OF RESPONDENT ANEKAL POLICE STATION; (B) DIRECTION TO THE RESPONDENTS 1 TO 3 FOR INITIATING ACTION AGAINST THE RESPONDENT 5 FOR HIS ILLEGAL AND UNLAWFUL ACTS STATED IN THE WRIT PETITION.

IN WP No. 22726/2016

BETWEEN:

1. SHRI. SUDHIR ANGUR
S/O SHRI. GUDDAPPA ANGUR,
AGED ABOUT 53 YEARS,
OCCUPATION:
PRO-VICE CHANCELLOR,
ALLIANCE UNIVERSITY,

ANEKAL CHANDAPURA ROAD,
CHIKKA HAGADE,
BANGALORE-562 106.

2. SHRI. PRAKASH BUDOOR
S/O SHRI. B. SIDDAPPA,
AGED ABOUT 39 YEARS,
OCCUPATION: DIRECTOR,
M/S. ALLIANCE BUSINESS SCHOOL,
NO.100, 34TH MAIN, 2ND CROSS,
DOLLARS SCHEME, BTM I STAGE,
BANGALORE-560 068.

3. SMT. SHAILA CHEBBI GOVIND
W/O SHRI G.B. CHEBBI,
AGED ABOUT 56 YEARS,
OCCUPATION: DIRECTOR,
M/S. ALLIANCE BUSINESS SCHOOL,
NO.100, 34TH MAIN, 2ND CROSS,
DOLLARS SCHEME, BTM I STAGE,
BANGALORE-560 068.

4. SMT. MALA MADIKERI SRINIVAS GOUDA
W/O DR. SRINIVAS GOUDA,
AGED ABOUT 54 YEARS,
OCCUPATION: DIRECTOR,
M/S. ALLIANCE BUSINESS SCHOOL,
NO.100, 34TH MAIN, 2ND CROSS,
DOLLARS SCHEME, BTM I STAGE,
BANGALORE-560 068.

5. SHRI. ABHAY GOVIND CHEBBI
S/O SHRI. G.B. CHEBBI,
AGED ABOUT 30 YEARS,
OCCUPATION: DIRECTOR,
M/S. ALLIANCE BUSINESS SCHOOL,
NO.100, 34TH MAIN, 2ND CROSS,
DOLLARS SCHEME, BTM I STAGE,
BANGALORE-560 068.

6. SHRI. GOVIND CHEBBI
S/O MR. B. CHEBBI,
AGED ABOUT 65 YEARS,
NO.100, 34TH MAIN, 2ND CROSS,
DOLLARS SCHEME, BTM I STAGE,
BANGALORE-560 068.

...PETITIONERS

(BY SRI. M.S. SHYAM SUNDAR, SENIOR ADVOCATE FOR
SMT. VANDANA P.L., ADVOCATE FOR P1, P2 & P5;
SRI. SANDESH J CHOUTA, SENIOR ADVOCATE FOR
SRI. CYRIL PRASAD PAIS, ADVOCATE FOR P3, P4 & P6)

AND:

1. THE STATE OF KARNATAKA BY
THE PRINCIPAL SECRETARY TO
THE GOVERNMENT OF KARNATAKA,
MINISTRY OF HOME AFFAIRS,
VIDHANA SOUDHA,
BANGALORE-01.

2. THE STATE OF KARNATAKA BY
THE DIRECTOR GENERAL OF POLICE,
OFFICE OF THE DGP,
NRUPATHUNGA ROAD,
BANGALORE-01.

3. THE STATE OF KARNATAKA BY
THE SUPERINTENDENT OF POLICE,
BANGALORE RURAL DISTRICT,
OFFICE OF SP,
CHANDRIKA HOTEL CIRCLE,
MILLERS ROAD,
BANGALORE-01.

4. THE STATE OF KARNATAKA BY
ANEKAL POLICE STATION,

ANEKAL TOWN,
BANGALORE-06.
REPRESENTED BY
STATION HOUSE OFFICER.

5. MR. MALATESH
FATHER'S NAME NOT KNOWN,
AGED MAJOR,
OCCUPATION:
CIRCLE POLICE INSPECTOR,
ANEKAL CIRCLE,
BANGALORE RURAL DISTRICT,
BANGALORE-06.

6. MR. MADHUKAR ANGUR
S/O GUDDAPPA ANGUR,
AGED ABOUT 60 YEARS,
SHRI. MADHUKAR G ANGUR,
FORMER DIRECTOR OF ALLIANCE SCHOOL,
SUSPENDED CHANCELLOR OF
ALLIANCE UNIVERSITY,
RESIDING AT NO.48A, 27TH MAIN,
1ST CROSS, BTM 1ST STAGE,
BANGALORE-560 068.

…RESPONDENTS

(BY SRI. RAHUL RAI K., HCGP FOR R1-R4;
SMT. ASHIMA MANDLA, ADVOCATE FOR R6;
R5-SERVED)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA READ WITH SECTION 482 OF THE CODE OF CRIMINAL PROCEDURE, PRAYING TO: (A) QUASH THE COMPLAINT AND FIR IN CRIME NO.115/2016 OF ANNEX.A & B DATED 15.04.2016 RESPONDENT ANEKAL POLICE STATION; (B) DIRECTION TO THE RESPONDENTS 1 TO 3 FOR INITIATING ACTION AGAINST THE RESPONDENT 5 FOR HIS ILLEGAL AND UNLAWFUL ACTS STATED IN THE WRIT PETITION.

IN WP No. 27272/2016

BETWEEN:

1. SHRI. ABHAY GOVIND CHEBBI
   S/O SHRI. G.B. CHEBBI,
   AGED ABOUT 30 YEARS,
   OCCUPATION: DIRECTOR,
   M/S. ALLIANCE BUSINESS SCHOOL,
   NO.100, 34TH MAIN,
   2ND CROSS, DOLLARS SCHEME,
   BTM I STAGE,
   BANGALORE-560 068.

2. SHRI. PRAKASH SIDDAPPA
   S/O SHRI. B. SIDDAPPA,
   AGED ABOUT 39 YEARS,
   OCCUPATION: DIRECTOR,
   M/S. ALLIANCE BUSINESS SCHOOL,
   NO.100, 34TH MAIN,
   2ND CROSS, DOLLARS SCHEME,
   BTM I STAGE,
   BANGALORE-560 068.

3. SMT. SHAILA CHEBBI GOVIND
   W/O SHRI G.B. CHEBBI,
   AGED ABOUT 56 YEARS,
   OCCUPATION: DIRECTOR,
   M/S. ALLIANCE BUSINESS SCHOOL,
   NO.100, 34TH MAIN,
   2ND CROSS, DOLLARS SCHEME,
   BTM I STAGE,
   BANGALORE-560 068.

4. SMT. MALA MADIKERI SRINIVAS GOUDA
   W/O DR. SRINIVAS GOUDA,
   AGED ABOUT 54 YEARS,
   OCCUPATION: DIRECTOR,
   M/S. ALLIANCE BUSINESS SCHOOL,
   NO.100, 34TH MAIN,

2ND CROSS, DOLLARS SCHEME,
BTM I STAGE,
BANGALORE-560 068.

...PETITIONERS

(BY SRI. B.V. ACHARYA, SENIOR ADVOCATE FOR
SMT. VANDANA P.L., ADVOCATE FOR P1 & P2;
SRI. SANDESH J CHOUTA, SENIOR ADVOCATE FOR
SRI. CYRIL PRASAD PAIS, ADVOCATE FOR P3 & P4)

AND:

1. THE STATE OF KARNATAKA BY
ANEKAL POLICE STATION,
ANEKAL TOWN,
BANGALORE-562 106.

2. MR. BASAVARAJ ALLAPPA THELI
S/O MR. THELI,
AGED MAJOR,
OCCUPATION: POLICE INSPECTOR,
DCIB, BANGALORE RURAL DISTRICT,
DISTRICT POLICE OFFICE,
BANGALORE-562 106.

3. MR. D.S. RAJENDRA
FATHER'S NAME NOT KNOWN,
AGED MAJOR,
OCCUPATION:
CIRCLE POLICE INSPECTOR,
ANEKAL CIRCLE,
BANGALORE RURAL DISTRICT,
BANGALORE-562 106.

4. MR. NARAYANAPPA
FATHER'S NAME NOT KNOWN,
AGED MAJOR,
CLAIMS TO BE A FINGER PRINT
AND HAND WRITING EXPERT,

MUDRA ASSOCIATES,
NO.152, 12TH CROSS ROAD,
SARAKKI MAIN ROAD,
1ST STAGE, J.P. NAGAR,
BANGALORE-560 078.

5. MRS. PRIYANKA ANGUR
@ PRIYANKA B.S.
W/O DR. MADHUKAR G. ANGUR,
AGED ABOUT 34 YEARS,
FLAT NO.803, G-BLOCK,
MANTRI ESPANA,
NEAR SAKRA WORLD HOSPITAL,
OUTER RING ROAD,
KARIYAMMANA AGRAHARA,
BELLANDUR, BANGALORE-560 103.

…RESPONDENTS

(BY SRI. RAHUL RAI K., HCGP FOR R1,
SRI. PRADEEP H.S., ADVOCATE FOR R4;
SMT. ASHIMA MANDLA, ADVOCATE FOR IMPLEADING APPLICANT ON I.A.NO.1/2025 & FOR R5;
V/O.DTD.17.04.2025, NOTICE TO R2 IS DISPENSED WITH)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA READ WITH SECTION 482 OF THE CODE OF CRIMINAL PROCEDURE, PRAYING TO: (A) QUASH CHARGESHEET DATED 10.08.2015 (VIDE ANNEXURE-A) FILED IN RESPECT OF CRIME NO.105/2015 OF RESPONDENT POLICE STATION; (B) QUASH ORDER OF THE COURT BELOW DATED 29.09.2015 (VIDE ANNEXURE-B) UNDER WHICH COGNIZANCE FOR THE OFFENCES UNDER SECTIONS 65, 66(B), 71, 73 AND 74 OF INFORMATION TECHNOLOGY ACT AND SECTION 465, 468, 469, 471, 474, 476 AND READ WITH SECTION 34 OF IPC WAS TEKEN AGAINST THE PETITIONERS; (C) DIRECTION TO THE DIRECTOR GENERAL OF POLICE, KARNATAKA FOR INITIATING ACTION AGAINST THE RESPONDENTS 3, 4 AND 5 FOR THEIR ILLEGAL AND UNLAWFUL ACTS STATED IN THE WRIT PETITION.

IN WP No. 27276/2016

BETWEEN:

1. SHRI. ABHAY GOVIND CHEBBI
   S/O SHRI. G.B. CHEBBI,
   AGED ABOUT 30 YEARS,
   OCCUPATION: DIRECTOR,
   M/S. ALLIANCE BUSINESS SCHOOL,
   NO.100, 34TH MAIN, 2ND CROSS,
   DOLLARS SCHEME, BTM I STAGE,
   BANGALORE-560 068.

2. SHRI. PRAKASH SIDDAPPA
   S/O SHRI. B. SIDDAPPA,
   AGED ABOUT 39 YEARS,
   OCCUPATION: DIRECTOR,
   M/S. ALLIANCE BUSINESS SCHOOL,
   NO.100, 34TH MAIN, 2ND CROSS,
   DOLLARS SCHEME, BTM I STAGE,
   BANGALORE-560 068.

3. SMT. SHAILA CHEBBI GOVIND
   W/O SHRI G.B. CHEBBI,
   AGED ABOUT 56 YEARS,
   OCCUPATION: DIRECTOR,
   M/S. ALLIANCE BUSINESS SCHOOL,
   NO.100, 34TH MAIN, 2ND CROSS,
   DOLLARS SCHEME, BTM I STAGE,
   BANGALORE-560 068.

4. SMT. MALA MADIKERI SRINIVAS GOUDA
   W/O DR. SRINIVAS GOUDA,
   AGED ABOUT 54 YEARS,
   OCCUPATION: DIRECTOR,
   M/S. ALLIANCE BUSINESS SCHOOL,
   NO.100, 34TH MAIN, 2ND CROSS,
   DOLLARS SCHEME, BTM I STAGE,
   BANGALORE-560 068.

...PETITIONERS

(BY SRI. B.V. ACHARYA, SENIOR ADVOCATE FOR
SMT. VANDANA P.L., ADVOCATE FOR P1 & P2;
SRI. SANDESH J CHOUTA, SENIOR ADVOCATE FOR
SRI. CYRIL PRASAD PAIS, ADVOCATE FOR P3 & P4)

AND:

1. THE STATE OF KARNATAKA BY
ANEKAL POLICE STATION,
ANEKAL TOWN,
BANGALORE-562 106.

2. MR. BASAVARAJ ALLAPPA THELI
S/O MR. THELI,
AGED MAJOR,
OCCUPATION: POLICE INSPECTOR,
DCIB, BANGALORE RURAL DISTRICT,
DISTRICT POLICE OFFICE,
BANGALORE-562 106.

3. MR. D.S. RAJENDRA
FATHER'S NAME NOT KNOWN,
AGED MAJOR,
OCCUPATION:
CIRCLE POLICE INSPECTOR,
ANEKAL CIRCLE,
BANGALORE RURAL DISTRICT,
BANGALORE-562 106.

4. MR. NARAYANAPPA
FATHER'S NAME NOT KNOWN,
AGED MAJOR,
CLAIMS TO BE A FINGER PRINT
AND HAND WRITING EXPERT,
MUDRA ASSOCIATES,
NO.152, 12TH CROSS ROAD,
SARAKKI MAIN ROAD,
1ST STAGE, J.P. NAGAR,
BANGALORE-560 078.

5. MR. MADHUKAR G. ANGUR
S/O GUNDAPPA ANGUR,
AGED ABOUT 60 YEARS,
R/O 48A, 27TH MAIN, 1ST CROSS,
BTM 1ST STAGE,
BANGALORE-560 068.

…RESPONDENTS

(BY SRI. RAHUL RAI K., HCGP FOR R1,
SRI. PRADEEP H.S., ADVOCATE FOR R4;
SMT. ASHIMA MANDLA, ADVOCATE FOR R5;
R3- SERVED;
V/O.DTD.17.04.2025, NOTICE TO R2 IS DISPENSED WITH)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA READ WITH SECTION 482 OF THE CODE OF CRIMINAL PROCEDURE, PRAYING TO: (A) QUASH CHARGESHEET DATED 17.06.2015 (VIDE ANNEXURE-A) FILED IN RESPECT OF CRIME NO.97/2015 OF RESPONDENT POLICE STATION; (B) QUASH ORDER OF THE COURT BELOW DATED 24.07.2015 (VIDE ANNEXURE-B) UNDER WHICH COGNIZANCE FOR THE OFFENCES UNDER SECTIONS 65, 66(B), 71, 73 AND 74 OF INFORMATION TECHNOLOGY ACT AND SECTION 465, 468, 469, 471, 474, 476 AND READ WITH SECTION 34 OF IPC WAS TEKEN AGAINST THE PETITIONERS; (C) DIRECTION TO THE DIRECTOR GENERAL OF POLICE, KARNATAKA FOR INITIATING ACTION AGAINST THE RESPONDENTS 3, 4 AND 5 FOR THEIR ILLEGAL AND UNLAWFUL ACTS STATED IN THE WRIT PETITION.

IN WP No. 53095/2016

BETWEEN:

1. SHRI. GOVIND CHABBI
S/O SHRI B.H. CHABBI,
AGED 60 YEARS,
PRINCIPAL CARE TAKER OFFICER,
ALLIANCE UNIVERSITY

CHIKKA HAGADE,
ANEKAL CHANDAPURA ROAD,
ANEKAL-80.

2. SHRI. SUDHEER ANGUR
AGED 53 YEARS,
CHANCELLOR,
ALLIANCE UNIVERSITY,
CHIKKA HAGADE,
ANEKAL CHANDAPURA ROAD,
ANEKAL-80.

3. SHRI. ABHAY GOVIND CHEBBI
S/O SHRI. G.B. CHEBBI,
AGED ABOUT 30 YEARS,
OCCUPATION: DIRECTOR,
M/S. ALLIANCE BUSINESS SCHOOL,
NO.100, 34TH MAIN, 2ND CROSS,
DOLLARS SCHEME, BTM I STAGE,
BANGALORE-560 068.

4. SHRI. PRAKASH BOODUR
S/O SHRI. SIDDAPPA,
AGED 40 YEARS,
OCCUPATION: DIRECTOR,
M/S. ALLIANCE BUSINESS SCHOOL,
NO.100, 34TH MAIN,
2ND CROSS, DOLLARS SCHEME,
BTM I STAGE,
BANGALORE-560 068.
SPONSORING ENTITY OF
ALLIANCE UNIVERSITY.

5. SHRI. MANJUNATHA
S/O SHRI. RAMAIAH,
AGED 35 YEARS,
ADVOCATE AND LEGAL COUNSEL,
FOR M/S. ALLIANCE UNIVERSITY,
C/O ALLIANCE UNIVERSITY,
CHIKKA HAGADE,

ANEKAL CHANDAPURA ROAD,
ANEKAL-80.

6. SHRI. VENKOB GUJJAL (GUJJAL)
S/O SHRI. H. GUJJAL,
AGED 50 YEARS,
CARE TAKER OFFICER,
ALLIANCE UNIVERSITY,
CHIKKA HAGADE,
ANEKAL CHANDAPURA ROAD,
ANEKAL-80.

7. SHRI. NANDAKUMAR
AGED 40 YEARS,
ADMN. OFFICER,
ALLIANCE UNIVERSITY,
CHIKKA HAGADE,
ANEKAL CHANDAPURA ROAD,
ANEKAL-80.

8. SMT. SHAILA CHEBBI
W/O SHRI. G.B. CHEBBI,
AGED ABOUT 56 YEARS,
OCCUPATION: DIRECTOR,
M/S. ALLIANCE BUSINESS SCHOOL,
NO.100, 34TH MAIN, 2ND CROSS,
DOLLARS SCHEME, BTM I STAGE,
BANGALORE-560 068.
SPONSORING ENTITY OF
ALLIANCE UNIVERSITY.

...PETITIONERS

(BY SRI. M.S. SHYAM SUNDAR, SENIOR ADVOCATE FOR
SMT. VANDANA P.L., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA BY
THE ADDITIONAL CHIEF SECRETARY TO
THE GOVERNMENT,

DEPARTMENT OF HOME AFFAIRS,
VIDHANA SOUDHA,
BANGALORE-01.

2. THE STATE OF KARNATAKA BY THE
PRINCIPAL SECRETARY TO
THE GOVERNMENT,
DEPARTMENT OF HOME AFFAIRS,
VIDHANA SOUDHA, BANGALORE-01.

3. THE STATE OF KARNATAKA BY
THE DIRECTOR GENERAL OF POLICE FOR
THE STATE OF KARNATAKA,
OFFICE OF DGP, NRUPATHUNGA ROAD,
BANGALORE-02.

4. THE STATE OF KARNATAKA BY
THE INSPECTOR GENERAL OF POLICE,
CENTRAL RANGE,
OFFICE OF IGP-CENTRAL RANGE,
CHANDRIKA HOTEL CIRCLE,
VASANTH NAGAR, BANGALORE-03.

5. THE STATE OF KARNATAKA BY
THE SUPERINTENDENT OF POLICE,
BANGALORE RURAL DISTRICT,
OFFICE OF SP, CHANDRIKA HOTEL CIRCLE,
VASANTH NAGAR, BANGALORE-03.

6. THE STATE OF KARNATAKA BY
ANEKAL POLICE STATION, ANEKAL,
REPRESENTED BY
THE CIRCLE INSPECTOR OF POLICE,
ANEKAL POLICE STATION,
ANEKAL-80.

7. MR. LOKESH K.B.
FATHERS' NAME NOT KNOWN,
AGED MAJOR,
POLICE CONSTABLE NO.1639,

ANEKAL POLICE STATION,
ANEKAL-80.

8. MR. NARAYANA
FATHERS' NAME NOT KNOWN,
MAJOR,
OCCUPATION:
ADDL. SUPERINTENDENT OF POLICE,
BANGALORE RURAL DISTRICT,
OFFICE OF DY.S.P.,
C/O. OFFICE OF SP,
CHANDRIKA HOTEL CIRCLE,
VASANTH NAGAR,
BANGALORE-02.

9. MR. MALATHESH
FATHERS' NAME NOT KNOWN,
MAJOR,
OCCUPATION
CIRCLE POLICE INSPECTOR,
ANEKAL POLICE STATION, ANEKAL,
BANGALORE RURAL DISTRICT-80.

10. MR. S.K. UMESH
FATHERS' NAME NOT KNOWN, MAJOR,
OCCUPATION:
DY. SUPERINTENDENT OF POLICE,
BANGALORE RURAL DISTRICT,
OFFICE OF DY.S.P.,
C/O. OFFICE OF SP,
CHANDRIKA HOTEL CIRCLE,
VASANTH NAGAR,
BANGALORE-02.

11. MR. VISHWANATH
CIRCLE POLICE INSPECTOR,
MAJOR,
HEBBAGODI POLICE STATION,
HEBBAGODI, BANGALORE-80.

12. MR. MOHAN
CIRCLE POLICE INSPECTOR,
MAJOR,
JIGANI POLICE STATION,
JIGANI, ANEKAL TALUK,
BANGALORE-79.

...RESPONDENTS

(BY SRI. RAHUL RAI K., HCGP FOR R1-R6,
R8 TO R12 – SERVED)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA READ WITH SECTION 482 OF THE CODE OF CRIMINAL PROCEDURE, PRAYING TO: (A) QUASH THE COMPLAINT AND FIR IN CRIME NO.262/2016 AT ANNEX-B DATED 29.09.2016 OF RESPONDENT ANEKAL POLICE STATION REGISTERED AGAINST THE PETITIONERS FOR THE OFFENCES PUNISHABLE UNDER 506, 504, 149, 323, 147, 143, 324, 353 OF IPC; (B) DIRECT FOR A JUDICIAL OR CBI INQUIRY INTO THE POLICE HIGHHANDEDNESS, POLICE ATROCITY, POLICE ILLEGALITIES AND POLICE FAILURES; AND THEREBY DIRECT FOR THE PENALIZATION OF THE RESPONDENT POLICE AUTHORITIES AND NAMED POLICE OFFICIALS.

IN WP No. 53199/2016

BETWEEN:

SHRI. SUDHIR ANGUR
S/O LATE GUDDAPPA ANGUR,
AGED 53 YEARS,
CHANCELLOR,
ALLIANCE UNIVERSITY,
CHIKKA HAGADE,
ANEKAL CHANDAPURA ROAD,
ANEKAL-80.

...PETITIONER

(BY SRI. M.S. SHYAM SUNDAR, SENIOR ADVOCATE FOR
SMT. VANDANA P.L., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA BY
THE ADDITIONAL CHIEF SECRETARY
TO THE GOVERNMENT,
DEPARTMENT OF HOME AFFAIRS,
VIDHANA SOUDHA,
BANGALORE-01.

2. THE STATE OF KARNATAKA BY THE
PRINCIPAL SECRETARY TO
THE GOVERNMENT,
DEPARTMENT OF HOME AFFAIRS,
VIDHANA SOUDHA,
BANGALORE-01.

3. THE STATE OF KARNATAKA BY
THE DIRECTOR GENERAL OF POLICE FOR
THE STATE OF KARNATAKA,
OFFICE OF DGP,
NRUPATHUNGA ROAD,
BANGALORE-02.

4. THE STATE OF KARNATAKA BY
THE INSPECTOR GENERAL OF POLICE,
CENTRAL RANGE,
OFFICE OF IGP-CENTRAL RANGE,
CHANDRIKA HOTEL CIRCLE,
VASANTH NAGAR,
BANGALORE-03.

5. THE STATE OF KARNATAKA BY
THE SUPERINTENDENT OF POLICE,
BANGALORE RURAL DISTRICT,
OFFICE OF SP,
CHANDRIKA HOTEL CIRCLE,
VASANTH NAGAR,
BANGALORE-03.

6. THE STATE OF KARNATAKA BY
ANEKAL POLICE STATION, ANEKAL,
REPRESENTED BY
THE CIRCLE INSPECTOR OF POLICE,
ANEKAL POLICE STATION,
ANEKAL-80.

7. MR. MADHUKAR ANGUR
S/O GUDDAPPA ANGUR,
AGED 61 YEARS,
RESIDING AT NO.48A, 27TH MAIN,
1ST CROSS, BTM 1ST STAGE,
BANGALORE-560 068.

8. MR. NARAYANA
FATHERS' NAME NOT KNOWN,
OCCUPATION:
ADDL. SUPERINTENDENT OF POLICE,
BANGALORE RURAL DISTRICT,
OFFICE OF DY.S.P.,
C/O. OFFICE OF SP,
CHANDRIKA HOTEL CIRCLE,
VASANTH NAGAR,
BANGALORE-80.

9. MR. MALATHESH
FATHERS' NAME NOT KNOWN,
OCCUPATION
CIRCLE POLICE INSPECTOR,
ANEKAL POLICE STATION, ANEKAL,
BANGALORE RURAL DISTRICT-80.

10. MR. S.K. UMESH
FATHERS' NAME NOT KNOWN,
OCCUPATION:
DY. SUPERINTENDENT OF POLICE,
BANGALORE RURAL DISTRICT,
OFFICE OF DY.S.P.,
C/O. OFFICE OF SP,
CHANDRIKA HOTEL CIRCLE,

VASANTH NAGAR,
BANGALORE-03.

11. MR. VISHWANATH
CIRCLE POLICE INSPECTOR,
HEBBAGODI POLICE STATION,
HEBBAGODI,
BANGALORE-80.

12. MR. MOHAN
CIRCLE POLICE INSPECTOR,
JIGANI POLICE STATION,
JIGANI, ANEKAL TALUK,
BANGALORE-80.

...RESPONDENTS

(BY SRI. RAHUL RAI K., HCGP FOR R1-R6
SRI. H.C. SHIVARAMU, ADVOCATE FOR R7,
R8 TO R12 – SERVED)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA READ WITH SECTION 482 OF THE CODE OF CRIMINAL PROCEDURE, PRAYING TO: (A) QUASH THE COMPLAINT AND FIR IN CRIME NO.261/2016 OF RESPONDENT ANEKAL POLICE STATION OF DATED 29.09.2016 AT ANNEXURE-B REGISTERED AGAINST THE PETITIONERS FOR THE OFFENCES PUNISHABLE UNDER 506, 504, 149, 323, 147, 143, 324, 353 OF IPC; (B) DIRECT FOR A JUDICIAL OR CBI INQUIRY INTO THE POLICE HIGHHANDEDNESS, POLICE ATROCITY, POILCE ILLEGALITIES, AND POLICE FAILURES AND THEREBY DIRECT FOR THE PENALIZATION OF THE RESPONDENT POLICE AUTHORITIES AND NAMED POLICE OFFICIALS.

IN WP No. 53212/2016

BETWEEN:

1. SHRI. SUDHIR ANGUR
AGED 53 YEARS,

CHANCELLOR, ALLIANCE UNIVERSITY,
CHIKKA HAGADE,
ANEKAL CHANDAPURA ROAD,
ANEKAL-80.

2. SMT. SHAILA CHEBBI
W/O SHRI. G.B. CHEBBI,
AGED ABOUT 56 YEARS,
OCCUPATION: DIRECTOR,
M/S. ALLIANCE BUSINESS SCHOOL,
NO.100, 34TH MAIN, 2ND CROSS,
DOLLARS SCHEME, BTM I STAGE,
BANGALORE-560 068.
SPONSORING ENTITY OF
ALLIANCE UNIVERSITY.

3. SHRI. ABHAY GOVIND CHEBBI
S/O SHRI. G.B. CHEBBI,
AGED ABOUT 30 YEARS,
OCCUPATION: DIRECTOR,
M/S. ALLIANCE BUSINESS SCHOOL,
NO.100, 34TH MAIN, 2ND CROSS,
DOLLARS SCHEME, BTM I STAGE,
BANGALORE-560 068.

4. SMT. MALA SRINIVASA GOUDA
W/O SHRI. SRINIVASA GOUDA,
AGED ABOUT 55 YEARS
OCCUPATION: DIRECTOR,
M/S. ALLIANCE BUSINESS SCHOOL,
NO.100, 34TH MAIN, 2ND CROSS,
DOLLARS SCHEME, BTM I STAGE,
BANGALORE-560 068.

5. SMT. SUJATHA SANJEEV
D/O SHRI. SANJEEV,
AGED 45 YEARS,
C/O NO.100, 34TH MAIN, 2ND CROSS,
DOLLARS SCHEME, BTM I STAGE,
BANGALORE-560 068.

6. SHRI. GOVIND CHEBBI
S/O SHRI. CHEBBI,
AGED 62 YEARS,
PRINCIPAL CARETAKER,
ALLIANCE UNIVERSITY
CHIKKA HAGADE,
ANEKAL CHANDAPURA ROAD,
ANEKAL-80.

7. SHRI. MADHUSUDHAN MISHRA
S/O SHRI. MISHRA,
AGED 60 YEARS,
REGISTRAR (ADDL.),
ALLIANCE UNIVERSITY,
CHIKKA HAGADE,
ANEKAL CHANDAPURA ROAD,
ANEKAL-80.

8. SHRI. JANAKIRAMUDU
AGED 55 YEARS,
C/O. ALLIANCE UNIVERSITY,
CHIKKA HAGADE,
ANEKAL CHANDAPURA ROAD,
ANEKAL-80.

9. SHRI. TAPAN KUMAR
AGED 58 YEARS,
C/O. ALLIANCE UNIVERSITY,
CHIKKA HAGADE,
ANEKAL CHANDAPURA ROAD,
ANEKAL-80.

10. SHRI. SHYAMKISHORE
AGED 35 YEARS
C/O. ALLIANCE UNIVERSITY,
CHIKKA HAGADE,
ANEKAL CHANDAPURA ROAD,
ANEKAL-80.

11. SHRI. SANTHOSH KAWARI
AGED 38 YEARS
C/O. ALLIANCE UNIVERSITY,
CHIKKA HAGADE,
ANEKAL CHANDAPURA ROAD,
ANEKAL-80.

...PETITIONERS

(BY SRI. M.S. SHYAM SUNDAR, SENIOR ADVOCATE FOR
SMT. VANDANA P.L., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA BY
THE ADDITIONAL CHIEF SECRETARY TO
THE GOVERNMENT,
DEPARTMENT OF HOME AFFAIRS,
VIDHANA SOUDHA,
BANGALORE-01.

2. THE STATE OF KARNATAKA BY THE
PRINCIPAL SECRETARY TO
THE GOVERNMENT,
DEPARTMENT OF HOME AFFAIRS,
VIDHANA SOUDHA,
BANGALORE-01.

3. THE STATE OF KARNATAKA BY
THE DIRECTOR GENERAL OF POLICE FOR
THE STATE OF KARNATAKA,
OFFICE OF DGP,
NRUPATHUNGA ROAD,
BANGALORE-01.

4. THE STATE OF KARNATAKA BY
THE INSPECTOR GENERAL OF POLICE,
CENTRAL RANGE,
OFFICE OF IGP-CENTRAL RANGE,
CHANDRIKA HOTEL CIRCLE,
VASANTH NAGAR, BANGALORE-03.

5. THE STATE OF KARNATAKA BY
THE SUPERINTENDENT OF POLICE,
BANGALORE RURAL DISTRICT,
OFFICE OF SP,
CHANDRIKA HOTEL CIRCLE,
VASANTH NAGAR,
BANGALORE-03.

6. THE STATE OF KARNATAKA BY
ANEKAL POLICE STATION, ANEKAL,
REPRESENTED BY
THE CIRCLE INSPECTOR OF POLICE,
ANEKAL POLICE STATION,
ANEKAL-80.

7. MR. LOKESH K.B.
FATHERS' NAME NOT KNOWN,
AGED MAJOR,
POLICE CONSTABLE NO.1639,
ANEKAL POLICE STATION,
ANEKAL-80.

8. MR. NARAYANA
FATHERS' NAME NOT KNOWN,
OCCUPATION:
ADDL. SUPERINTENDENT OF POLICE,
BANGALORE RURAL DISTRICT,
OFFICE OF DY.S.P.,
C/O. OFFICE OF SP,
CHANDRIKA HOTEL CIRCLE,
VASANTH NAGAR,
BANGALORE-03.

9. MR. MALATHESH
FATHERS' NAME NOT KNOWN,
OCCUPATION CIRCLE POLICE INSPECTOR,
ANEKAL POLICE STATION, ANEKAL,
BANGALORE RURAL DISTRICT-80.

10. MR. S.K. UMESH
FATHERS' NAME NOT KNOWN,
OCCUPATION DY. SUPERINTENDENT OF POLICE,
BANGALORE RURAL DISTRICT,
OFFICE OF DY.S.P.,
C/O. OFFICE OF SP,
CHANDRIKA HOTEL CIRCLE,
VASANTH NAGAR,
BANGALORE-03.

11. MR. VISHWANATH
CIRCLE POLICE INSPECTOR,
HEBBAGODI POLICE STATION,
HEBBAGODI,
BANGALORE-80.

12. MR. MOHAN
CIRCLE POLICE INSPECTOR,
JIGANI POLICE STATION,
JIGANI, ANEKAL TALUK,
BANGALORE-80.

...RESPONDENTS

(BY SRI. RAHUL RAI K., HCGP FOR R1, R3-R6,
R2, R7 TO R12 – SERVED)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA READ WITH SECTION 482 OF THE CODE OF CRIMINAL PROCEDURE, PRAYING TO: (A) QUASH THE COMPLAINT AND FIR IN CRIME NO.264/2016 OF ANEKAL POLICE DATED 03.10.2016 OF ANNEXURE-B FOR THE OFFENCES PUNISHABLE UNDER SECTIONS 66, 66(C), 66(D) OF INFORMATION TECHONOLOGY ACT AND SECTIONS 504, 120B, 34, 379, 380, 417 AND 426 OF IPC; (B) DIRECT FOR A JUDICIAL OR CBI INQUIRY INTO THE POLICE HIGHHANDEDNESS, POLICE ATROCITY, POLICE ILLEGALITIES AND POLICE FAILURES; AND THEREBY DIRECT FOR THE PENALIZATION OF THE RESPONDENT POLICE AUTHORITIES AND NAMED POLICE OFFICIALS.

IN WP No. 53223/2016

BETWEEN:

1. SHRI. GOVIND CHEBBI
S/O SHRI. CHEBBI,
AGED 62 YEARS,
PRINCIPAL CARETAKER,
ALLIANCE UNIVERSITY
CHIKKA HAGADE,
ANEKAL CHANDAPURA ROAD,
ANEKAL-80.

2. SMT. SHAILA CHEBBI
W/O SHRI. G.B. CHEBBI,
AGED ABOUT 56 YEARS,
OCCUPATION: DIRECTOR,
M/S. ALLIANCE BUSINESS SCHOOL,
NO.100, 34TH MAIN, 2ND CROSS,
DOLLARS SCHEME, BTM I STAGE,
BANGALORE-560 068.
SPONSORING ENTITY OF
ALLIANCE UNIVERSITY.

3. SHRI. SUDHIR ANGUR
AGED 53 YEARS,
CHANCELLOR, ALLIANCE UNIVERSITY,
CHIKKA HAGADE,
ANEKAL CHANDAPURA ROAD,
ANEKAL-80.

4. SHRI. ABHAY GOVIND CHEBBI
S/O SHRI. G.B. CHEBBI,
AGED ABOUT 30 YEARS,
OCCUPATION: DIRECTOR,
M/S. ALLIANCE BUSINESS SCHOOL,
NO.100, 34TH MAIN, 2ND CROSS,
DOLLARS SCHEME, BTM I STAGE,
BANGALORE-560 068.

5. SHRI. PRAKASH BOODUR
S/O SHRI. B. SIDDAPPA,
AGED 37 YEARS,
OCCUPATION: DIRECTOR,
M/S. ALLIANCE BUSINESS SCHOOL,
NO.100, 34TH MAIN, 2ND CROSS,
DOLLARS SCHEME, BTM I STAGE,
BANGALORE-560 068.

6. SMT. SUJATHA SANJEEV
D/O SHRI. SANJEEV,
AGED 45 YEARS,
C/O NO.100, 34TH MAIN, 2ND CROSS,
DOLLARS SCHEME, BTM I STAGE,
BANGALORE-560 068.

7. SHRI. Y. SRINIVASAN
(PATAPAT SRINIVAS)
AGED ABOUT 45 YEARS,
S/O. LATE SHRI. YELLAPPA,
OCCUPATION: COUNCIL MEMBER,
M/S. ALLIANCE UNIVERSITY,
ANEKAL, BANGALORE-80.

8. SHRI. Y. PRAKASH
(PATAPAT PRAKASH),
AGED ABOUT 46 YEARS,
S/O. LATE SHRI. YELLAPPA,
OCCUPATION: ADVOCATE ON RECORD FOR
M/S. ALLIANCE UNIVERSITY,
ANEKAL, BANGALORE-80.

9. SHRI. MANJUNATHA
AGED 35 YEARS,
OCCUPATION: ADVOCATE ON RECORD FOR
M/S. ALLIANCE UNIVERSITY,
ANEKAL, BANGALORE-80.

10. SHRI. NANDAKUMAR
AGED 35 YEARS,

STAFF MEMBER/SECURITY OFFICER,
M/S. ALLIANCE UNIVERSITY,
ANEKAL, BANGALORE-80.

...PETITIONERS

(BY SRI. M.S. SHYAM SUNDAR, SENIOR ADVOCATE FOR
SMT. VANDANA P.L., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA BY
THE ADDITIONAL CHIEF SECRETARY TO
THE GOVERNMENT,
DEPARTMENT OF HOME AFFAIRS,
VIDHANA SOUDHA,
BANGALORE-01.

2. THE STATE OF KARNATAKA BY THE
PRINCIPAL SECRETARY TO
THE GOVERNMENT,
DEPARTMENT OF HOME AFFAIRS,
VIDHANA SOUDHA,
BANGALORE-01.

3. THE STATE OF KARNATAKA BY
THE DIRECTOR GENERAL OF POLICE FOR
THE STATE OF KARNATAKA,
OFFICE OF DGP, NRUPATHUNGA ROAD,
BANGALORE-01.

4. THE STATE OF KARNATAKA BY
THE INSPECTOR GENERAL OF POLICE,
CENTRAL RANGE,
OFFICE OF IGP-CENTRAL RANGE,
CHANDRIKA HOTEL CIRCLE,
VASANTH NAGAR,
BANGALORE-03.

5. THE STATE OF KARNATAKA BY
THE SUPERINTENDENT OF POLICE,

BANGALORE RURAL DISTRICT,
OFFICE OF SP,
CHANDRIKA HOTEL CIRCLE,
VASANTH NAGAR,
BANGALORE-03.

6. THE STATE OF KARNATAKA BY
ANEKAL POLICE STATION,
ANEKAL,
REPRESENTED BY
THE CIRCLE INSPECTOR OF POLICE,
ANEKAL POLICE STATION,
ANEKAL-80.

7. MR. MADHUKAR ANGUR
S/O. GUDDAPPA ANGUR,
AGED 61 YEARS,
RESIDING AT NO.48A,
27TH MAIN, 1ST CROSS,
BTM 1ST STAGE,
BANGALORE-560 068.

8. MR. NARAYANA
FATHERS' NAME NOT KNOWN,
OCCUPATION:
ADDL. SUPERINTENDENT OF POLICE,
BANGALORE RURAL DISTRICT,
OFFICE OF DY.S.P.,
C/O. OFFICE OF SP,
CHANDRIKA HOTEL CIRCLE,
VASANTH NAGAR,
BANGALORE-03.

9. MR. MALATHESH
FATHERS' NAME NOT KNOWN,
OCCUPATION:
CIRCLE POLICE INSPECTOR,
ANEKAL POLICE STATION, ANEKAL,
BANGALORE RURAL DISTRICT-80.

10. MR. S.K. UMESH
FATHERS' NAME NOT KNOWN,
OCCUPATION:
DY. SUPERINTENDENT OF POLICE,
BANGALORE RURAL DISTRICT,
OFFICE OF DY.S.P.,
C/O. OFFICE OF SP,
CHANDRIKA HOTEL CIRCLE,
VASANTH NAGAR,
BANGALORE-03.

11. MR. VISHWANATH
CIRCLE POLICE INSPECTOR,
HEBBAGODI POLICE STATION,
HEBBAGODI,
BANGALORE-80.

12. MR. MOHAN
CIRCLE POLICE INSPECTOR,
JIGANI POLICE STATION,
JIGANI, ANEKAL TALUK,
BANGALORE-80.

...RESPONDENTS

(BY SRI. RAHUL RAI K., HCGP FOR R1-R6
SRI. H.C. SHIVARAMU, ADVOCATE FOR R7,
R8 TO R12 – SERVED)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA READ WITH SECTION 482 OF THE CODE OF CRIMINAL PROCEDURE, PRAYING TO: (A) QUASH THE COMPLAINT AND FIR IN CRIME NO.267/2016 OF ANEKAL POLICE DATED 03.10.2016 AT ANNEXURE-B FOR THE OFFENCES PUNISHABLE UNDER SECTIONS 506, 341, 149 AND 143 OF IPC; (B) DIRECT FOR A JUDICIAL OR CBI INQUIRY INTO THE POLICE HIGHHANDEDNESS, POLICE ATROCITY, POLICE ILLEGALITIES, AND POLICE FAILURES; AND THEREBY DIRECT FOR THE PENALIZATION OF THE RESPONDENT POLICE AUTHORITIES AND NAMED POLICE OFFICIALS.

IN WP No. 53234/2016

BETWEEN:

ALLIANCE UNIVERSITY
CHIKKAHAGADE,
ANEKAL,
BANGALORE RURAL DISTRICT-80,
REPRESENTED BY
THE REGISTRAR
SHRI. MADHUSUDHAN MISRA,
AGED 54 YEARS.

...PETITIONERS

(BY SRI. M.S. SHYAM SUNDAR, SENIOR ADVOCATE FOR
SMT. VANDANA P.L., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA BY
THE ADDITIONAL CHIEF SECRETARY TO
THE GOVERNMENT,
DEPARTMENT OF HOME AFFAIRS,
VIDHANA SOUDHA,
BANGALORE-01.

2. THE STATE OF KARNATAKA BY THE
PRINCIPAL SECRETARY TO
THE GOVERNMENT,
DEPARTMENT OF HOME AFFAIRS,
VIDHANA SOUDHA,
BANGALORE-01.

3. THE STATE OF KARNATAKA BY
THE DIRECTOR GENERAL OF POLICE FOR
THE STATE OF KARNATAKA,
OFFICE OF DGP,
NRUPATHUNGA ROAD,
BANGALORE-01.

4. THE STATE OF KARNATAKA BY
THE INSPECTOR GENERAL OF POLICE,
CENTRAL RANGE,
OFFICE OF IGP-CENTRAL RANGE,
CHANDRIKA HOTEL CIRCLE,
VASANTH NAGAR,
BANGALORE-03.

5. THE STATE OF KARNATAKA BY
THE SUPERINTENDENT OF POLICE,
BANGALORE RURAL DISTRICT,
OFFICE OF SP,
CHANDRIKA HOTEL CIRCLE,
VASANTH NAGAR,
BANGALORE-03.

6. THE STATE OF KARNATAKA BY
ANEKAL POLICE STATION,
ANEKAL,
REPRESENTED BY
THE CIRCLE INSPECTOR OF POLICE,
ANEKAL POLICE STATION,
ANEKAL-80.

7. MR. SYED AFZAL AKTHAR
CLAIMING TO THE STUDENT OF
ALLIANCE UNIVERSITY,
C/O. MADHUKAR ANGUR,
RESIDING AT NO.48A, 27TH MAIN,
1ST CROSS, BTM 1ST STAGE,
BANGALORE-560 068.

8. MR. NARAYANA
FATHERS' NAME NOT KNOWN,
OCCUPATION:
ADDL. SUPERINTENDENT OF POLICE,
BANGALORE RURAL DISTRICT,
OFFICE OF DY.S.P.,
C/O. OFFICE OF SP,
CHANDRIKA HOTEL CIRCLE,

VASANTH NAGAR,
BANGALORE-03.

9. MR. MALATHESH
FATHERS' NAME NOT KNOWN,
OCCUPATION:
CIRCLE POLICE INSPECTOR,
ANEKAL POLICE STATION, ANEKAL,
BANGALORE RURAL DISTRICT-80.

10. MR. S.K. UMESH
FATHERS' NAME NOT KNOWN,
OCCUPATION
DY. SUPERINTENDENT OF POLICE,
BANGALORE RURAL DISTRICT,
OFFICE OF DY.S.P.,
C/O. OFFICE OF SP,
CHANDRIKA HOTEL CIRCLE,
VASANTH NAGAR,
BANGALORE-03.

11. MR. VISHWANATH
CIRCLE POLICE INSPECTOR,
HEBBAGODI POLICE STATION,
HEBBAGODI,
BANGALORE-80.

12. MR. MOHAN
CIRCLE POLICE INSPECTOR,
JIGANI POLICE STATION,
JIGANI, ANEKAL TALUK,
BANGALORE-80.

...RESPONDENTS

(BY SRI. RAHUL RAI K., HCGP FOR R1-R6
R7 TO R12 – SERVED)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA READ WITH SECTION 482 OF THE CODE OF CRIMINAL PROCEDURE, PRAYING TO: (A)

QUASH THE COMPLAINT AND FIR IN CRIME NO.268/2016 DATED 03.10.2016 OF ANNEXURE-B OF ANEKAL POLICE FOR THE OFFENCES PUNISHABLE UNDER SECTIONS 504, 341 OF IPC; (B) DIRECT FOR A JUDICIAL OR CBI INQUIRY INTO THE POLICE HIGHHANDEDNESS, POLICE ATROCITY, POLICE ILLEGALITIES, AND POLICE FAILURES; AND THEREBY DIRECT FOR THE PENALIZATION OF THE RESPONDENT POLICE AUTHORITIES AND NAMED POLICE OFFICIALS.

IN WP No. 16126/2017

BETWEEN:

1. SUDHIR G. ANGUR
   S/O GUNDAPPA,
   AGED ABOUT 54 YEARS,
   CHANCELLOR OF ALLIANCE BUSINESS
   SCHOOL COMPANY,
   NO.100, 34TH MAIN, 2ND CROSS,
   DOLLARS SCHEME, BTM I STAGE,
   BANGALORE-560 068.

2. MR. PRAKASH BUDOOR
   AGED ABOUT 39 YEARS,
   DIRECTOR OF ALLIANCE BUSINESS
   SCHOOL COMPANY,
   NO.100, 34TH MAIN, 2ND CROSS,
   DOLLARS SCHEME, BTM I STAGE,
   BANGALORE-560 068.

3. MR. ABHAY CHEBBI
   AGED ABOUT 30 YEARS,
   DIRECTOR OF ALLIANCE BUSINESS
   SCHOOL COMPANY,
   NO.100, 34TH MAIN, 2ND CROSS,
   DOLLARS SCHEME, BTM I STAGE,
   BANGALORE-560 068.

4. MRS. SHAILA CHEBBI GOVIND
   AGED ABOUT 53 YEARS,

DIRECTOR OF ALLIANCE BUSINESS
SCHOOL COMPANY,
NO.100, 34TH MAIN,
2ND CROSS, DOLLARS SCHEME,
BTM I STAGE,
BANGALORE-560 068.

...PETITIONERS

(BY SRI. SANDESH J CHOUTA, SENIOR ADVOCATE FOR
SRI. MANJUNATH & SMT. VANDANA P.L.,
ADVOCATES)

AND:

1. ANEKAL POLICE STATION
ANEKAL,
REPRESENTED BY
THE CIRCLE INSPECTOR OF POLICE,
ANEKAL POLICE STATION,
ANEKAL-565 202.

2. DCIB POLICE
BANGALORE RURAL DISTRICT,
CAMPED AT OFFICE OF SP
BANGALORE RURAL DISTRICT,
CHANDRIKA HOTEL CIRCLE,
VASANTH NAGAR,
BANGALORE-560 002.

3. OFFICE OF DIRECTOR GENERAL OF POLICE
CID POLICE, SPECIAL DIVISIONS,
CARLTON BHAVAN,
PALACE ROAD,
BANGALORE-560 001.

4. MR. MADHUKAR ANGUR
S/O GUDDAPPA ANGUR,
AGED 61 YEARS,
RESIDING AT NO.48A,
27TH MAIN, 1ST CROSS,

BTM 1ST STAGE,
BANGALORE-560 068.

...RESPONDENTS

(BY SRI. RAHUL RAI K., HCGP FOR R1-R3;
SMT. ASHIMA MANDLA, ADVOCATE FOR R4 (VC))

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA READ WITH SECTION 482 OF THE CODE OF CRIMINAL PROCEDURE, PRAYING TO: (A) QUASH THE COMPLAINT AND FIR IN CRIME NO.54/2015 OF RESPONDENT ANEKAL POLICE STATION, BANGALORE RURAL DISTRICT (VIDE ANNEXURES-A AND B TO THE WRIT PETITION) REGISTERED AGAINST THE PETITIONERS FOR THE OFFENCES PUNISHABLE UNDER 506, 504, 420 R/W 34 OF IPC PENDING ON THE FILE OF THE PRINCIPAL CIVIL JUDGE AND JMFC, ANEKAL, BANGALORE RURAL DISTRICT; (B) DIRECT AN INQUIRY BY AN APPROPRIATE AUTHORITY OR BY A JUDICIAL COMMISSION INTO THE ILLEGAL ACTS OF THE POLICE IN INITIATED A CID INVESTIGATION AFTER FILING A C REPORT BY DCIB, BANGALORE RURAL DISTRICT, IN CRIME NO.54/2015 AND THE CONTINUATION OF SUCH AN INVESTIGATION AND TROUBLING THE PETITIONERS DESPITE THE KNOWLEDGE OF JUDGEMENT DATED 04.10.2016 PASSED IN W.P.NO.19462/2016 (GM-RES) AND CONNECTED MATTERS AND THEREBY DIRECT FOR A SERIOUS DISCIPLINARY ACTION AGAINST THEM.

IN WP No. 4403/2025

BETWEEN:

MR. KRISHNA PRASAD
S/O VENKATARAMANA BHAT T.,
AGED ABOUT 65 YEARS,
PRACTISING COMPANY SECRETARY,
HAVING REGISTERED OFFICE AT
M/S. SHRI. K.P. AND ASSOCIATES,
NO.3426, NEW NO.24,
1ST F CROSS, R.P.C. LAYOUT,

VIJAYANAGAR,
BANGALORE-560 040.

...PETITIONER

(BY SRI. B.V. ACHARYA AND SRI. SANDESH J. CHOUTA,
SENIOR ADVOCATES FOR
SMT. JAITHRA J. NARAYAN, ADVOCATE)

AND:

1 . STATE OF KARNATAKA BY
ANEKAL POLICE STATION,
REPRESENTED BY HCGP,
HIGH COURT OF KARNATAKA,
BANGALORE-560 001.

2. MR. MADHUKAR ANGUR
S/O GUNDAPPA ANGUR,
AGED ABOUT 65 YEARS,
RESIDING AT NO.2/3,
2ND CROSS, DOLLARS SCHEME,
BTM 1ST STAGE,
BANGALORE-560 068.

…RESPONDENTS

(BY SRI. RAHUL RAI K., HCGP FOR R1;
SMT. ASHIMA MANDLA, ADVOCATE FOR R2 (VC))

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA READ WITH SECTION 482 OF THE CODE OF CRIMINAL PROCEDURE, PRAYING TO QUASH CHARGESHEET DATED 17.06.2015 IN C.C.NO.701/2015 ARISING OUT OF CRIME NO.97/2015 OF RESPONDENT POLICE STATION FOR THE OFFENCES UNDER SECTIONS 65, 66(B), 71, 73 AND 74 OF INFORMATION TECHNOLOGY ACT AND SECTION 465, 468, 469, 471, 474, 476 AND READ WITH SECTION 34 OF IPC ARRAIGNING THE PRESENT PETITIONER AS ACCUSED NO.5 VIDE ANNEXURE-C.

THESE WRIT PETITIONS HAVING BEEN HEARD AND RESERVED FOR ORDERS ON 30.04.2026, COMING ON FOR PRONOUNCEMENT THIS DAY, THE COURT MADE THE FOLLOWING:

CORAM: HON'BLE MR. JUSTICE MOHAMMAD NAWAZ

CAV ORDER

These connected writ petitions are instituted under Articles 226 and 227 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973, seeking quashing of the respective FIRs, charge sheets, cognizance orders and consequential criminal proceedings arising out of various crimes registered at Anekal Police Station, Bengaluru Rural District.

2. Since all the petitions arise out of a common factual matrix concerning the affairs of M/s. Alliance Business School Private Limited, Bengaluru, and Alliance University, involve substantially common parties, overlapping allegations and interconnected criminal proceedings and by virtue of the remand orders passed by

the Hon'ble Apex Court, they were heard together and are being disposed of by this common order.

3. All the matters arise from a single, protracted dispute between two rival groups over the control, management, shareholding and directorship of M/s. Alliance Business School Private Limited (referred to as "the Company"), which is the sponsoring body of Alliance University, Bengaluru (referred to as "the University"), a University established under the Alliance University Act, 2010. On one side of the dispute stand Dr. Madhukar G. Angur and his wife Smt. Priyanka B.S., who are the de-facto complainants in the principal crimes. On the other side petitioners are Smt. Shaila Govind Chebbi and Smt. Mala Madikeri Srinivas Gouda, who are sisters and the founding promoters of the Company, along with Sri. Abhay Govind Chebbi, Sri. Prakash Siddappa Buddur, Sri. Sudhir G. Angur, and the Company Secretary Sri. Krishna Prasad.

4. The crimes fall into two broad groups. The first group, registered in the years 2015 and 2016, relates to allegations of forgery of signatures and digital signatures, fabrication of share transfer forms, board resolutions and resignation letters, fraudulent filings before the Registrar of Companies, illegal alteration of directorship and shareholding records, unauthorized opening and operation of bank accounts and diversion of institutional funds. The second group, registered consequent upon an incident at the University campus on 29.09.2016, relates to allegations of criminal trespass, criminal intimidation, wrongful restraint, assault and allied offences.

5. The proceedings have a substantial prior history. The crimes in the first group were earlier quashed by this Court by order dated 04.10.2016 and 23.11.2023, and the crimes in the second group by order dated 01.06.2022. The Hon'ble Apex Court, by two separate orders dated 30.01.2025 and 06.08.2025, set aside both orders of quashing and remitted the matters to this Court

for fresh consideration on merits. The present adjudication is undertaken pursuant to that remand, and the petitions have been heard together.

6. The first group of petitions arise out of Crime Nos.97/2015, 104/2015, 105/2015, 76/2016, 108/2016 and 115/2016, all registered by Anekal Police Station, Bengaluru Rural District, are challenged in seven batches of writ petitions, wherein the petitioners challenged the criminal proceedings and the orders of cognizance in C.C.Nos.701/2015, 955/2015 and 956/2015, the leading petition being W.P.Nos.19462-19466/2016, along with W.P.Nos.14670 & 18174-18176/2016, 20913-20918/2016, 22726-22731/2016, 27272-27275/2016 and 27276-27279/2016 were heard and disposed of by the co-ordinate bench of this court by a common order dated 04.10.2016.

7. The writ petitions were allowed and the said proceedings, together with the orders of cognizance, were

quashed in their entirety, and the consequential freezing and restraint orders were set aside. The order proceeded on two principal grounds. First, it was held that the alleged fraud and misfeasance in the management of a company and disputes regarding the constitution of its Board of Directors fell within the domain of Chapter XIV of the Companies Act, 2013 (Section 213, read with the corresponding Section 237 of the Companies Act, 1956), and was a matter for the National Company Law Tribunal and not the criminal court, which was held to be without jurisdiction to determine the validity of statutory forms filed before the Registrar of Companies. Secondly, in so far as the complaints concerning the alleged illegal removal of Dr. Madhukar G. Angur as Chancellor, it was held that this was a matter for the State Government under the Alliance University Act, 2010, and not for the criminal court. The said order also recorded its assessment that the opinion of the handwriting/finger-print expert, who was a retired police officer and had examined photocopies, was

unreliable, and that the retraction by Sri Krishnamohan Ramineni (Director) of his earlier complaint affected the basis of the proceedings.

8. By a supplementary order dated 17.10.2016, on an application of the petitioners, this Court clarified that the observations that the Alliance University Act, 2010 did not provide for removal of the first Chancellor, was not intended as a finding of fact, that Section 11(1) of the Act does provide for removal, and that the question whether any particular circumstances would warrant removal was left open to be decided in an appropriate forum.

9. The second group — W.P.No.53199/2016 along with W.P.Nos.53095/2016, 53212/2016, 53223/2016 and 53234/2016 — was filed challenging the registration of the five crimes viz., Crime Nos.261/2016, 262/2016, 264/2016, 267/2016 and 268/2016 of Anekal Police Station, Bengaluru Rural District, arising from the campus incident of 29.09.2016. These petitions were heard and

disposed of by co-ordinate bench of this court by order dated 01.06.2022, by which the writ petitions were allowed and criminal proceedings were quashed.

10. That order proceeded on the basis that the crimes had been registered at a time when injunctions of the Civil Court were operating against Dr. Madhukar G. Angur (de-facto Complainant) restraining him from interfering with the administration of the University and against the police personnel of the Anekal Police Station. The Court noticed injunctions in O.S.No.3006/2016 and O.S.No.2911/2016 against the said de-facto complainant in favour of the present petitioners, and an injunction in O.S.No.25394/2016 against the police. On that footing, it was concluded that the said de-facto complainant and the police were themselves the aggressors when the events of 29.09.2016 occurred, that the crimes had been registered to circumvent the Civil Court orders, and that the dispute was one of management of the University, civil in nature

and given a criminal texture with the object of wreaking vengeance.

11. W.P.No.16126/2017 arises out of Crime No.54/2015 registered at Anekal Police Station for the offences punishable under Sections 420, 504 and 506 read with Section 34 of the Indian Penal Code. Upon completion of investigation, the District Crime Investigation Bureau (for short 'DCIB'), Bengaluru Rural District, submitted a 'C' Final Report before the Learned Magistrate. Thereafter, on a requisition submitted by the DYSP, EOD, CID, Bengaluru, seeking permission to conduct further investigation, the learned Magistrate permitted the DYSP, EOD, CID to undertake further investigation in the said crime. Aggrieved thereby, the petitioners/accused filed W.P.No.16126/2017 challenging the registration of the FIR, the complaint and the order of the learned Magistrate permitting further investigation by the DYSP, EOD, CID. The petitioners also sought a direction for holding an enquiry, either by an appropriate authority or by a Judicial

Commission, into the legality of the action of the police seeking investigation by the CID after the filing of 'C' Report. By order dated 23.11.2023, a Coordinate Bench of this Court partly allowed the writ petition. The FIR in Crime No.54/2015 was quashed. However, the prayer seeking a direction to hold an enquiry into the action of the police in initiating further investigation through the CID after submission of the 'C' Report, was rejected.

12. The order dated 04.10.2016 passed by this Court in the first batch of petitions was challenged before the Hon'ble Apex Court in Criminal Appeal Nos.3887-3890/2023, Criminal Appeal Nos.3891-3896/2023, 3897-3902/2023, 3903-3908/2023 and 3909-3912/2023. The order dated 23.11.2023 passed by this Court in W.P.No.16126/2017 was also challenged before the Hon'ble Apex Court in SLP (Crl.) No.7339/2024. By a common order dated 30.01.2025, the Hon'ble Apex Court allowed the appeals and the special leave petition, set aside the orders dated 04.10.2016 and 23.11.2023 passed

by this Court, and remitted the matters for fresh consideration on merits in accordance with law.

13. The observations made by the Hon'ble Apex Court while remitting the matters constitute the governing framework for the present consideration. It was observed that the impugned order of this Court had been passed without going into the merits, and was premised only on two broad grounds, namely — (a) that, having regard to Chapter XIV of the Companies Act, 2013, the appropriate forum was the National Company Law Tribunal; and (b) that, the State Government being the appropriate authority, the removal of the Chancellor fell to be dealt with under the Alliance University Act, 2010. The Hon'ble Apex Court held that both grounds could not be sustained in the eyes of law. It was observed that what was required of this Court was to examine whether the materials available and presented before it would constitute the offences alleged and nothing beyond and that this Court

had gone into issues that were not relevant for consideration.

14. The order dated 01.06.2022 passed by this Court in the second batch of petitions was challenged before the Hon'ble Apex Court in Criminal Appeals arising out of SLP (Crl.) Nos.1093/2023, 1736/2023 and 1737/2023. By order dated 06.08.2025, the Hon'ble Apex Court, noticing that the connected matters had already been remitted to this Court by order dated 30.01.2025, set aside the order dated 01.06.2022, left all contentions open, restored the interim orders and directed that the said matters also be heard and decided along with the matters already remanded to this Court and placed before the same Bench.

15. It is pertinent to note that the de-facto complainant has not challenged the orders passed in respect of Crime No.104/2015 in W.P.No.14670/2016, Crime No.262/2016 in W.P.No.53095/2016 and Crime

No.268/2016 in W.P.No.53234/2016, before the Hon'ble Apex Court. However, in view of the aforesaid orders passed by the Hon'ble Apex Court remanding the connected matters and directing a fresh consideration on merits, all these connected petitions have been taken up together and heard afresh.

16. The fourteen connected matters, with the corresponding crime numbers, offences alleged and brief facts, are listed below. They fall into two batches according to the order of the Hon'ble Apex Court by which they were remitted to this Court.

Batch I — remitted by order dated 30.01.2025

i. **W.P.No.4405/2025 and W.P.No.27272/ 2016** - arise out of Crime No.105/2015 (C.C.No.956/2015) registered at Anekal P.S. for the offences punishable under section 65, 66(a)(b), 71, 73, 74 of IT Act 2000 and Section 465, 341, 420, 469, 471, 474, 463 of IPC 1860.

The complaint dated 17.04.2015, registered on 21.04.2015, lodged by Smt. Priyanka B.S., claims to be a Director and shareholder of M/s. Alliance Business School. It is alleged that the accused - Shaila Chebbi Govind, Prakash Siddappa Buddur, Abhay Govind Chebbi and Mala Medikeri Srinivas Gouda (A1 to A4) in collusion with Krishna Prasad (A5) an unauthorized Company Secretary, fabricated documents and, by employing forged digital signatures, caused their names to be uploaded online as Directors of the company. It is further alleged that the accused forged her signatures upon the share transfer forms, fraudulently transferred the shares held by her, and illegally removed her from the Directorship of the company, with a view to make wrongful gain and to cheat her. It is averred that these facts came to her knowledge upon enquiries made with the Registrar of Companies (for short "ROC"). The

charge sheet was filed on 20.04.2015 for the offences punishable under section 65, 66(B), 71, 73, 74 of IT Act 2000 and 468, 469, 465, 471, 474, 476 r/w 34 IPC 1860. Petitioner in W.P.No.4405/2025- accused No.5 is the Company Secretary. Petitioners in W.P.No.27272/2016 are accused Nos.1 to 4.

ii. **W.P.No.14670/2016 -** arise out of Cr.No.104/2015 (CC No.955/2015) registered at Anekal P.S. for the offences punishable under section 65, 66(a) & 66(b), 71, 73, 74 of IT Act 2000 and Section 34, 420, 465, 469, 471, 474, 463 of IPC 1860. The complaint dated 15.04.2015, registered on 20.04.2015 lodged by Krishna Mohan Ramineni who claims to be a Director and shareholder of M/s. Alliance Business School. It is alleged that accused Nos.1 to 4 in collusion with Company Secretary accused No.5, fabricated documents and, by employing forged digital

signatures, caused their names to be uploaded online as Directors of the company. It is further alleged that the accused forged his signatures upon the share transfer forms, fraudulently transferred the shares held by him, and illegally removed him from the Directorship of the company, with a view to make wrongful gain and to cheat him. It is averred that these facts came to his knowledge upon enquiries made with the Registrar of Companies. The charge sheet was filed on 10.08.2015 for the offences punishable under section 65, 66(B) 71, 73, 74 of IT Act 2000 and 465, 468, 469, 471, 474, 476 r/w 34 of IPC 1860. Petitioners are accused Nos.1 to 4.

iii. **W.P.No.19462/2016 -** arise out of Crime No.76/2016 registered at Anekal P.S. for the offences punishable under section 71, 74, 66(D) of IT Act 2000 and 120B, 420, 471, 477A, 468 r/w 34 of IPC 1860. The complaint dated 10.03.2016,

lodged by Dr. Madhukar Angur, who claims to be the Founder Chancellor of Alliance University and developed M/s. Alliance Business School. It is alleged that accused Nos.1 to 5 entered into a conspiracy to take control of the company and the University, and in furtherance created false and fabricated resignation letters of the complainant, his wife, and the Co-Director Krishna Mohan Ramineni, and, by employing forged digital signatures, uploaded the same to the website of the Registrar of Companies. It is further alleged that though the information so uploaded was earlier invalidated by the Registrar upon notice, the accused once again, during the period of his custody in February 2016, fraudulently caused the names of the complainant, his wife and Krishna Mohan Ramineni to be deleted as Directors and their own names to be entered as Directors, without consent, signature or digital signature. It

is alleged that, by making use of the forged documents, the accused operated the bank accounts of the company, withdrew funds, and represented themselves to various authorities as Directors, with a view to make wrongful gain and to cheat. Petitioners are accused Nos.1 to 5.

iv. **W.P.No.20913/2016 -** arise out of Crime No.108/2016 registered at Anekal P.S. for the offences punishable under section 34, 120B, 420, 465, 468, 464, 463 of IPC. The complaint dated 03.04.2016, lodged by Dr. Madhukar Angur claims to be the Founder Chancellor for life of Alliance University under the Alliance University Act, 2010, and the sole authority competent to deal with its financial and administrative affairs. It is alleged that the accused Nos.1 to 7 entered into a criminal conspiracy to take control of the University and its finances, and in furtherance thereof accused No.1, on the strength of a false resolution passed by the

self-claimed Directors of Alliance Business School, falsely held himself as the Pro-Vice Chancellor of the University, an office to which he was not appointed in accordance with the said Act. It is alleged that the accused, during the period of his judicial custody from February, 2016, sought to change the authorized signatory of the University's account with Kotak Mahindra Bank, and upon being thwarted, fraudulently opened fresh accounts in the name of the University with Vijaya Bank, B.T.M. Layout, by creating false and fabricated documents, into which the students were directed to deposit their fees. It is alleged that crores of rupees so collected were withdrawn and misappropriated by the accused for their personal use. It is further alleged that accused No.1 in connivance with the remaining accused, trespassed upon the University posing as its Pro-Vice Chancellor, made illegal appointments

and terminations, operated its funds for personal gain, and, by coercion and intimidation, extracted false statements from the employees and threatened the complainant and his family, with a view to make wrongful gain and to harm the University. Petitioners are accused Nos.1 to 6.

v. **W.P.Nos.22726/2016 -** arise out of Crime No.115/2016 registered at Anekal P.S. for the offences punishable under section 34, 120B, 415, 416, 418, 447, 469, 503, 505, 420, 471, 468 of IPC 1860, Section 71 of IT Act, 2000. The complaint dated 14.04.2016, lodged by Dr. Madhukar Angur, claims to be the Founder Chancellor for life of Alliance University under the Alliance University Act, 2010, holding that office by virtue of having been the Chairperson/Managing Director of the sponsoring body, Alliance Business School, at the time of its enactment. It is alleged that accused Nos.1 to 7

caused a false and misleading Public Notice to be published in the Times of India dated 13.04.2016, signed by accused No.1 in the guise of Chief Executive Officer of the sponsoring body, proclaiming that the complainant had been terminated as Chancellor of the University, though the sponsoring body is vested with no power to remove or terminate the Chancellor for life. According to the complainant, accused No.1 holding himself out as Chief Executive Officer and in connivance with the remaining accused, hijacked the University, threatened its employees into believing that he was its executive head, made illegal appointments and terminations, and fraudulently applied the University's funds to his own gain. It is alleged that the accused, by such false communication to the public, created panic among the students and parents and, while admissions were under way, collected tuition

monies and diverted the same for their personal use, with a view to make wrongful gain and to cheat. Petitioners are accused Nos.1 to 4, 6 & 7.

vi. **W.P.No.27276/2016 and W.P.No.4403/2025 -** arise out of Crime No.97/2015 (C.C.No.701/2015) registered at Anekal P.S. for the offences punishable under section 66(A), 65, 71, 73, 74, 66(b) IT Act, 2000 and Section 506, 34, 465, 469, 471, 474, 476, 463 of IPC 1860. The complaint dated 13.04.2015, lodged by Dr. Madhukar Angur, claims to be the Founder Managing Director of M/s. Alliance Business School, the sponsoring body of Alliance University, and the life-time Chancellor of the University. It is alleged that the accused Nos.1 to 4 in collusion with accused No.5 - Company Secretary, created fictitious documents and, by employing forged digital signatures, caused their names to be uploaded online as Directors of the company.

According to the complainant, the accused illegally took away critical documents pertaining to the company and the University, forged his signatures, and on 05.03.2015 and 06.03.2015 transferred amounts into the accounts of the complainant and his wife Priyanka B.S. under the guise of having purchased shares, thereby evidencing the forgery of their signatures upon the share transfer forms. It is alleged that the accused thus fraudulently transferred the Directorship of the company held by the complainant, Priyanka B.S. and Krishna Mohan Ramineni, with a view to make wrongful gain and to cheat. It is further alleged that accused No.3, accompanied by accused No.4 and certain anti-social elements, came to the campus and the company office claiming that that he had become a Director, and threatened the security personnel and staff. The charge sheet was filed on 17.06.2015 for the

offences punishable under section 65, 66(B), 71, 73, 74 of IT Act, 2000 and 120(B), 465, 468, 469, 471, 474, 476 r/w 34 of IPC 1860. Petitioners in W.P.No.27276/2016 are accused Nos.1 to 4 and petitioner in W.P.No.4403/2025 is accused No.5.

vii. **W.P.No.16126/2017 -** arise out of Crime No.54/2015 registered at Anekal P.S. for the offences punishable under section 506, 504, 420 R/w 34 of IPC. The complaint dated 06.03.2015, lodged by Dr. Madhukar Angur, claims to be the Founder of M/s. Alliance Business School, the sponsoring body of Alliance University, and its Chancellor since inception. It is alleged that the accused Nos.1 to 4 colluded to illegally take over the administration of the University from the complainant. It is alleged that accused No.2 mismanaged the funds and accounts of the company, and that on 01.03.2015 accused No.1 barged into the complainant's office, sought to

coerce him into signing blank papers pertaining to Alliance Business School, and, on his resistance, attempted to manhandle and threaten him and his family. According to the complainant, on 05.03.2015 accused Nos.1 and 2, along with certain rowdy elements, intruded into the office of the Company Secretary and manhandled, abused and threatened the complainant and his Finance Head. It is further alleged accused No.3 and 4 joined hands with them, threatened the complainant and his wife at their residence, and warned that false complaints, including of sexual harassment, would be lodged if their demands were not met. It is further alleged that the accused deposited amounts into the accounts of the complainant and his wife so as to hold out that they had purchased shares from them, and that the signatures of the complainant and his wife were forged upon the share transfer forms,

though no shares had been sold. Upon investigation a C-Report was filed. Petitioners/ accused Nos. 1 to 4 have challenged the investigation undertaken by the CID, after filing of the C-Report.

Batch II — remitted by order dated 06.08.2025

viii. **W.P.No.53095/2016 —** arise out of Crime No.262/2016 registered at Anekal P.S. for the offences punishable under section 506, 504, 149, 323, 147, 143, 149, 324, 353 of IPC. The complaint dated 29.09.2016, lodged by Sri. Lokesh K.B., Police Sub-Inspector, Anekal Police Station, stated that on 29.09.2016 Madhukar Angur approached the police station seeking protection, stating that he was the Chancellor of Alliance University and had obtained an order from the High Court, and that when he attempted to enter the college he had been

prevented and threatened by the management. It is stated that, pursuant thereto, the complainant, along with the station staff and about twenty police personnel, proceeded to the college, where, at about 9.00 p.m., Madhukar Angur and his advocates stood near the gate holding the court order. It is alleged that the accused Nos.1 to 8 and others suddenly pulled Madhukar Angur down and began to assault him from within the gate; that when the complainant and the accompanying personnel came to his aid, the accused seized and dragged the complainant by his uniform and pushed him against the gate; that accused No.8 bit the hand of the constable Santosh Dali, causing a bleeding injury; and that all accused assaulted with clubs and iron pipes, causing injuries to the police personnel, whereby the complainant sustained a bleeding injury to his lip. According to the complainant, the accused thereby

obstructed the police personnel in the discharge of their official duty and caused them hurt. Petitioners are accused Nos.1 to 8.

ix. **W.P.No.53199/2016 —** arise out of Crime No.261/2016 registered at Anekal P.S. for the offences punishable under section 506, 341, 323, 504, 34 of IPC. The complaint dated 29.09.2016, lodged by Madhukar G. Angur at about 9:15 p.m. It is alleged that on 29.09.2016, at about 2.30 p.m., when the complainant tried to enter the university campus with an order of the High Court and orders of other court, the accused No.1, along with henchmen and rowdy elements, physically prevented him and faculty members from entering the campus from the main gate and obstructed him in discharging his official duties as Chancellor, and restrained him with threats of dire consequences. Petitioner is accused No.1.

x. **W.P.No.53212/2016 —** arise out of Crime No.264/2016 registered at Anekal P.S. for the offences punishable under Sections 66, 66C, 66D of I T Act, 2000 and Sections 504, 120B, 34, 379, 380, 417, and 426 of IPC. The complaint dated 02.10.2016, lodged by Dr. Madhukar Angur, claims to be the Chairman of the sponsoring body and the Chancellor for life of Alliance University, competent to approve the appointment of its Registrar. It is alleged that Sri. Madhusudan Mishra/A7 without being appointed by due process and without the complainant's approval, fraudulently assumed the office of Registrar, and, by hacking and misusing the University's information technology and official email, sent communications in the guise of the Registrar to the students and staff, thereby causing confusion and disruption to the academic activities of the University and intimidating the student

community. Further alleged that, accused Nos.1 to 11 entered into a criminal conspiracy to unlawfully exploit the resources of the University and in furtherance thereof, Sri. Ramanjaneyulu G., the Manager (Transport & Administration), absconded with twenty-two vehicles belonging to the University, valued at about Rs.5 crore, and that a sum of Rs.1.2 crore in cash, together with confidential documents, was stolen from the admissions and accounts office of the University. Petitioners are accused Nos.1 to 11.

xi. **W.P.No.53223/2016 —** arise out of Crime No.267/2016 registered at Anekal P.S. for the offences punishable under section 506, 341, 149 and 143 of IPC. The complaint dated 29.09.2016, lodged by Dr. Madhukar Angur, claims to be the life-time Chancellor of Alliance University. It is alleged that on 29.09.2016, at about 5.00 p.m., when the complainant came to the University with

his advocates, bearing an order of the High Court and other documents to discharge his duties as Chancellor, he found some forty to fifty students gathered before the closed gate, who informed him that entry to and exit from the University had been closed from about 2.30 p.m. and that they had been prevented from going in or coming out. According to the complainant, when he and his advocates sought to intervene and his advocates produced the order of the High Court, the accused Nos.1 to 10 and others - threatened him with his life, tore up the order declaring that they cared nothing for it, and held out threats of dire consequences and physical harm to the complainant and his advocates. It is further alleged that several students, both girls and boys, were detained within the campus against their will. Petitioners are accused Nos.1 to 10.

xii. **W.P.No.53234/2016 -** arise out of Crime No.268/2016 registered at Anekal P.S. for the offences punishable under Section 504 and 341. The complaint was filed by a student, Syed Afzal Akthar, on behalf of a group of Alliance University students. It is alleged that on 29.09.2016, having gone outside the campus at about 1.00 p.m., they returned to the main entrance at about 2.30 p.m. to go back to their hostels, but found the main gate and the side gates locked and were told that the students were to remain outside the premises. It is alleged that, though they repeatedly requested to be allowed in and sought to place their grievance before the administrative body, they were rudely turned away and threatened with dire consequences by the security personnel. According to the complainants, at about 5.00 p.m. the Founder Chancellor Madhukar Angur came to the main gate with a group of advocates and

requested that the gate be opened, but the members of the administrative body abused him and others in filthy language, declaring that they cared nothing for the orders of Court. The complainants sought protection and appropriate action against the University administration.

Allegations in Brief:

17. The foundational dispute relates to events that occurred in early March 2015. According to the Complainant's version, beginning from the first week of March 2015, certain individuals, including the Petitioners herein, began working against the interests of the Company and the University and ceased to hold their respective positions. A Board Meeting was conducted on 04.03.2015. It was subsequently observed that certain papers and documents pertaining to the Company had gone missing.

18. The primary allegations made by the Complainants may be summarized as follows:

(i) The Petitioners, acting in concert, created fictitious and forged documents and, through forged digital signatures, uploaded their own names as Directors of the Company on the ROC portal without authority;

(ii) The Petitioners colluded with each other, and with the Company Secretary, Krishna Prasad, to illegally take away and steal critical documents and papers belonging to the Company and the University;

(iii) On 05.03.2015 and 06.03.2015, amounts were unlawfully transferred from the Complainant's account and his wife's account under the guise of a share purchase, claiming that the Complainant's shares had been sold, which goes to show the forgery of signatures on share transfer forms;

(iv) The Company Secretary uploaded false resignation letters of the Complainant, his wife, and

another Director, Krishnamohan Ramineni, to the ROC website using forged digital signatures;

(v) Using forged documents, the Petitioners operated bank accounts, withdrew funds, and represented to various authorities that they were the Directors of the Company, committing acts of impersonation; and

(vi) Sudhir G. Angur/Accused, claiming to be Pro-Vice Chancellor through improper appointment, illegally opened a new account in Vijaya Bank, BTM Layout, in the name of Alliance University, and diverted students' tuition monies into that account.

19. It is in this background that a series of complaints came to be lodged. The earliest, Crime No.54/2015, was registered on the complaint of Dr. Madhukar G. Angur on 06.03.2015, alleging criminal intimidation, manhandling, theft of company documents and forgery of share transfer forms; following investigation, a "C" Final Report dated 25.08.2015 was

filed. After filing of the "C" Final Report, the DYSP, EOD, CID filed an application before the learned Magistrate to conduct the further investigation, wherein the application came to be allowed and the de-facto complainant filed a memo that they have no objection for further enquiry by CID.

20. Crime No.97/2015 was registered on 13.04.2015 on the complaint of Dr. Madhukar G. Angur, alleging forgery of signatures and digital signatures and fraudulent filings before the Registrar of Companies. Crime No.104/2015 was registered on the complaint of Sri. Krishnamohan Ramineni, and Crime No.105/2015 on 21.04.2015 on the complaint of Smt. Priyanka B.S., upon substantially similar allegations.

21. In Crime Nos.97/2015, 104/2015 and 105/2015 the investigation was carried out by the DCIB, Bengaluru Rural District, and charge sheets were filed and the cognizance was taken by the learned Principal Civil Judge

(Junior Division) and Judicial Magistrate First Class, Anekal.

22. Thereafter, Crime No.76/2016 was registered on 11.03.2016 on the complaint of Dr. Madhukar G. Angur, alleging forged uploads on the portal of the Ministry of Corporate Affairs and fraudulent operation of bank accounts. Crime Nos.108/2016 and 115/2016 were registered upon complaints alleging that the petitioners had fraudulently posed as officers of the University, issued misleading public notices, opened unauthorized bank accounts and diverted the funds of the University.

23. Five further crimes — Crime Nos.261/2016, 262/2016, 264/2016, 267/2016 and 268/2016 — came to be registered in connection with an incident allegedly took place at the University campus on 29.09.2016, when Dr. Madhukar G. Angur/complainant, claiming to be the Chancellor, sought to enter the campus along with advocates and faculty members. These complaints allege

wrongful restraint, criminal intimidation, assault and criminal trespass. Crime No.262/2016 is at the instance of a Police Constable and Crime No.268/2016 is at the instance of a student.

24. The petitioners, on the other hand, place a substantially different version before the Court. According to them, the Company was incorporated in the year 2005 by Smt. Shaila Govind Chebbi and Smt. Mala Madikeri Srinivas Gouda, who are sisters, each holding fifty per cent of the shareholding. The Company was engaged in establishing and running educational institutions and, in the year 2010, became the sponsoring body of Alliance University. It is their case that Dr. Madhukar G. Angur, who had earlier served as a Professor in the United States of America, was inducted as a Director of the Company and, thereafter, the shares held by the said sisters were transferred in his favour, pursuant to which he became the Managing Director of the Company and subsequently assumed the office of Chancellor of the University. It is

further stated that Sri. Sudhir G. Angur is the brother of Dr. Madhukar G. Angur, Smt. Shaila Govind Chebbi and Smt. Mala Madikeri Srinivas Gouda; Sri. Prakash Siddappa Budoor was the Chief Financial Officer of the Company and the University; Sri. Abhay Govind Chebbi was serving as Deputy Director; Smt. Shaila Govind Chebbi was working as the Facilities Manager of the University after being deputed from Ambient Hotels Private Limited; Sri. Krishna Prasad was the Company Secretary; and Sri. Krishnamohan Ramineni was a Director and shareholder of the Company.

25. It is the further case of the petitioners that, upon scrutiny of the affairs of the Company and the University after Dr. Madhukar G. Angur assumed the management, certain financial irregularities and acts of mismanagement came to light. According to them, when these issues were brought to the notice of Dr. Madhukar G. Angur, he and his wife, Smt. Priyanka B.S. Angur, voluntarily agreed to transfer their shares in favour of the

original shareholders and resigned from the Directorship of the Company on 05.03.2015. It is stated that, pursuant thereto, the petitioners were inducted as Directors of the Company. The petitioners contend that, thereafter, Dr. Madhukar G. Angur resiled from the said arrangement and initiated a series of civil, company and criminal proceedings alleging that the share transfer documents, resignation letters and other corporate records had been forged and fabricated.

26. The present batch of petitions arises out of several criminal cases registered during the years 2015 and 2016 at Anekal Police Station. Though arising from different complaints, the proceedings substantially concern the same set of parties, overlapping transactions and interconnected events. Broadly stated, (i) the allegations relate to the alleged forgery of signatures and digital signatures on corporate documents, (ii) fraudulent transfer of shares, (iii) unlawful filing of statutory forms before the Registrar of Companies, (iv) illegal assumption of control

over the management of the Company and the University, (v) alleged diversion and misappropriation of institutional funds, (vi) unauthorised opening of bank accounts, and (vii) incidents alleged to have occurred on 29.09.2016 involving criminal trespass, obstruction, assault and intimidation at the University campus.

Contentions of the Petitioners:

27. The petitioners are represented by learned Senior Counsels Sri. B.V. Acharya, Sri. Sandesh J. Chouta and Sri. M.S. Shyamsundar.

28. The learned Senior Counsel Sri. B.V. Acharya appearing for the petitioners, at the outset, submitted that the orders taking cognizance and issuing process are wholly unsustainable in law, being the result of complete non-application of mind by the learned Magistrate. He submitted that the impugned orders are passed in a stereotyped format without any reference to the facts of the case, the allegations contained in the charge sheet or

the offences alleged against the petitioners. It was contended that an order taking cognizance and issuing process is a serious judicial act and the order must disclose that the learned Magistrate has applied his mind and has arrived at a satisfaction that a prima facie case exists for taking cognizance and issuing process. Though an elaborate order may not be necessary where cognizance is taken on a police report, it is nevertheless mandatory that the order should at least disclose the offences in respect of which cognizance is taken and the provisions of law under which process is directed to be issued. According to the learned Senior Counsel, the impugned orders merely state that cognizance is taken of the "offence", while the allegations relate to several offences under the provisions of the IPC as well as the Information Technology Act. Neither the offences nor the statutory provisions are indicated, thereby demonstrating complete non-application of mind. He submitted that the orders are in such a standard format that they are capable

of being employed in any criminal case irrespective of the nature of allegations, thereby vitiating the very exercise of jurisdiction.

29. In support of the above submission, reliance was placed on the decision of this Court in **Arjun Anjaneya Reddy v. State of Karnataka, Crl.P.No.9078/2024**, wherein, after an elaborate consideration of the decisions of the Hon'ble Apex Court governing the principles relating to taking cognizance, this Court held that even though the order therein specifically referred to the statutory provisions under which cognizance was taken and process issued, the same was liable to be quashed since it did not disclose even a semblance of application of mind. It was submitted that the impugned orders stand on a much weaker footing, as they do not even indicate the offences or the provisions of law under which cognizance has been taken.

30. The learned Senior Counsel contended that the charge sheets themselves are without authority of law, having been filed by the Inspector of Police attached to the DCIB, which is admittedly not a notified police station. It was submitted that under Section 173(2) of Cr.P.C., only the officer in charge of a police station is competent to submit a final report. Since the Inspector attached to the DCIB is not the officer in charge of a police station, the charge sheets filed by him are without jurisdiction and consequently incapable of being acted upon. Reliance was placed on the decision of this Court concerning the Central Crime Branch (CCB), wherein it has been held that unless the officer filing the charge sheet is the officer in charge of a police station, the final report filed by such officer is not legally valid and is liable to be returned.

31. Adverting to the registration of multiple criminal cases, the learned Senior Counsel submitted that Crime Nos.97/2015, 104/2015 and 105/2015 arise out of one and the same transaction, namely, the alleged forgery of

signatures on the share transfer documents and connected records, including the filings made before the Registrar of Companies. He submitted that the first complaint came to be registered in Crime No.97/2015 on 13.04.2015 and thereafter Crime Nos.104/2015 and 105/2015 were successively registered on 20.04.2015 and 21.04.2015 respectively, at the instance of the complainant, Sri Madhukar G. Angur, on substantially identical allegations. It was submitted that successive registration of FIRs relating to the same transaction is impermissible in law and constitutes an abuse of the statutory power of investigation besides offending Article 21 of the Constitution. Reliance was placed on the decision of the Hon'ble Apex Court in **T.T. Antony v. State of Kerala, (2001) 6 SCC 181,** wherein the principle that there cannot be multiple FIRs in respect of the same occurrence has been authoritatively laid down.

32. The learned Senior Counsel further submitted that the dispute between the parties is overwhelmingly

civil in character and the criminal proceedings have been initiated only to exert pressure in an ongoing corporate dispute. Elaborating the background, he submitted that the Company was founded in the year 2005 by Smt. Shaila Chebbi Govind and Smt. Mala Madikere Srinivas Gouda, who are sisters, and that their brother, Dr. Madhukar G. Angur, after returning from the United States, was inducted as a Director in the year 2007 upon transfer of their shares and was thereafter appointed as the Managing Director of the Company and Chancellor of the University. It was submitted that owing to serious allegations of mismanagement and large-scale financial irregularities, he agreed to transfer back the shares, standing in his name and in the name of his wife, and to relinquish the offices held by him, pursuant to which the share transfers were effected on 05.03.2015 and the petitioners assumed charge as Directors. Subsequently, with a view to unsettle the said arrangement, allegations of forgery of signatures and digital signatures were made and a series of criminal

complaints came to be lodged as a counterblast to the civil and corporate proceedings.

33. The learned Senior Counsel submitted that the entire controversy centers around the genuineness of the signatures appearing on the share transfer forms, minutes of the Board meetings and statutory forms filed before the Registrar of Companies, all of which are matters falling predominantly within the domain of civil adjudication. Reliance was placed on the decisions of the Hon'ble Apex Court in **Madhavrao Jiwaji Rao Scindia v. SambhajiraoChandrojirao Angre, (1988) 1 SCC 692**, wherein it has been held that though breach of trust may amount to both a civil wrong and a criminal offence, there are situations where the dispute is predominantly civil in nature, and in **Parbatbhai Aahir v. State of Gujarat, (2017) 9 SCC 641**, wherein it has been observed that criminal cases having an overwhelming or predominant element of civil dispute stand on a distinct footing while

exercising the inherent jurisdiction to quash criminal proceedings.

34. It was further submitted that both sides have already approached the competent Civil Court and the civil proceedings are pending adjudication. According to the learned Senior Counsel, the Civil Court, at the interlocutory stage, declined to accept the allegation of forgery and granted orders in favour of the petitioners, which came to be affirmed by this Court by a detailed judgment. The Special Leave Petitions preferred against the said judgment have also been dismissed by the Hon'ble Apex Court, thereby lending considerable support to the petitioners' case. It was further submitted that O.S.No.3395/2015, instituted through the agency of the complainant seeking a declaration that he continued to be the Managing Director of the Company, was unconditionally withdrawn, and both the Civil Court and this Court have treated such withdrawal as disentitling the complainant from asserting a contrary claim.

35. The learned Senior Counsel further submitted that out of the three persons who initially alleged forgery of signatures, Sri. Krishnamohan Ramineni, who is the only independent person and is not related to the complainant or his wife, has subsequently retracted from his earlier stand and has filed affidavits before the Courts affirming that not only his signatures but also the signatures of Sri. Madhukar G. Angur and Smt. Priyanka Angur appearing on the documents are genuine. It was submitted that these affidavits constitute a highly significant circumstance, inasmuch as the only independent person has supported the petitioners' case, leaving the prosecution with merely the interested version of the complainant and his wife. According to the learned Senior Counsel, the burden of proving forgery lies upon the prosecution and, in the present case, there is only oath against oath insofar as the complainant and his wife are concerned.

36. Assailing the investigation, the learned Senior Counsel submitted that the prosecution principally rests upon the opinion of a handwriting expert, which in law is regarded as the weakest species of evidence. It was argued that the Investigating Officer deliberately avoided obtaining an opinion from the Government Forensic Science Laboratory and instead chose to secure an opinion from a private handwriting expert, who is a retired police official. According to the learned Senior Counsel, the Investigating Officer sought permission from the Superintendent of Police to engage a private expert while, on the very same day, he had already entrusted all the original records to the private expert. The reason assigned for bypassing the Government Forensic Science Laboratory, namely urgency, was described as wholly untenable. It was further submitted that the private expert submitted a report exceeding three hundred pages within a period of about ten days, despite the examination involving hundreds of disputed signatures, and that the

report is based on photocopies instead of original documents, couched in stereotyped language and unsupported by cogent reasons. Reliance was placed on the decisions of this Court in **Ramachandra v. State of Karnataka, Crl.P.No.100822/2016 dated 23.11.2016 and State by Lokayukta v. G. Ramachari, Crl.R.P.No.699/2017 dated 06.12.2024,** wherein it has been held that it is not permissible to obtain the opinion of a private handwriting expert when the facilities of the Government Forensic Science Laboratory are available.

37. The learned Senior Counsel further submitted that the investigation itself is vitiated by *mala fides*. Specific allegations were levelled against the Investigating Officers, who were impleaded by name in the proceedings. However, despite service of notice, they neither entered appearance nor filed any statement controverting the allegations. According to the learned Senior Counsel, the allegations of mala fides therefore remain unrebutted, lending credence to the petitioners' contention that the

investigation has been conducted in a partisan and interested manner.

38. It was further submitted that Crime No.104/2015, arising out of the very same transaction, has already been quashed in the earlier round of litigation and no Special Leave Petition has been preferred against the said order. Therefore, the continuance of the remaining proceedings arising out of the same transaction would be wholly unjustified.

39. The learned Senior Counsel also pointed out that there is absolutely no expert opinion with regard to the allegation relating to the forged digital signature. It was further submitted that accused No.2 has not been identified by any witness in accordance with law and that the alleged identification is only by reference to a photograph, which cannot constitute legally acceptable identification.

40. Referring to the contemporaneous circumstances, the learned Senior Counsel submitted that meetings of the Board of Directors were held on 04.03.2015 and 05.03.2015, wherein the complainant agreed to the transfer of the shares held by him and his wife. It was pointed out that the complaint itself acknowledges receipt of consideration towards the transfer of shares and the bank records disclose that a sum of Rs.12,25,000/- was credited to the account of the complainant on 05.03.2015 and a further sum of Rs.75,000/- was credited to the account of his wife on 06.03.2015, rendering the subsequent allegation of forgery inherently improbable.

41. The learned Senior Counsel also submitted that the material placed on record does not disclose the essential ingredients of the offences alleged. Reliance was placed on the decision of the Hon'ble Apex Court in **Niranjan Singh Karam Punjabi v. Jitendra Bhimraj Bijja, AIR 1990 SC 1962**, wherein it has been held that

at the stage of considering whether proceedings should continue, the Court is required to evaluate the material on record for the limited purpose of ascertaining whether the facts, taken at their face value, disclose the ingredients of the alleged offences and that the Court is not expected to accept the prosecution version as gospel truth where it runs contrary to common sense or the broad probabilities of the case.

42. With reference to Crime Nos.108/2016 and 115/2016, the learned Senior Counsel submitted that both the crimes arise out of the same cause of action, involve the same informant, the same police station, the same set of accused and substantially identical allegations concerning falsification of records, illegal appointments and diversion of University funds. It was submitted that a comparative reading of the two FIRs unmistakably demonstrates identity of the cause of action and that the second crime is liable to be quashed on the doctrine of sameness, as its continuance would amount to a second

investigation into the very same allegations and would offend Article 21 of the Constitution.

43. Consolidating the submissions, the learned Senior Counsel urged the following grounds for quashing; that the impugned orders taking cognizance are vitiated by complete non-application of mind; that the charge sheets have been filed by an authority not competent in law; that the investigation is tainted by *mala fides*; that the prosecution is founded upon legally unacceptable expert evidence and that the material does not disclose essential ingredients of the offences; that the dispute is predominantly civil in nature and is already the subject matter of civil and company proceedings; that the registration of successive crimes in respect of the same transaction is contrary to the settled doctrine of sameness; and that the continuation of the impugned criminal proceedings would amount to a gross abuse of the process of law warranting interference in exercise of the inherent jurisdiction of this Court.

44. Learned Senior Counsel relied upon the following citations:

a. Arjun Anjaneya Reddy v. State of Karnataka, Crl.P.No.9078/2024 dated 27.09.2024 (paras 18-19) - on non-application of mind in orders of cognizance.

b. Madhavrao Jiwajirao Scindia v. SambhajiraoChandrojiraoAngre reported in (1988) 1 SCC 692 (para 8) - on the power and circumstances of quashing.

c. Sardool Singh v. Nasib Kaur, reported in 1987 Supp SCC 146 (para 2) - on predominantly civil dispute.

d. Parbatbhai Aahir v. State of Gujarat, reported in (2017) 9 SCC 641 (para 16.7) - on predominantly civil dispute.

e. Medmeme LLC v. IhorseBPO Solutions Pvt. Ltd., reported in (2018) 13 SCC 374 (paras 10-11) - on predominantly civil dispute.

f. Niranjan Singh Karam Singh Punjabi v. Jitendra Bhimraj Bijja, reported in AIR 1990 SC 1962 (para 7) - threshold scrutiny of whether the

allegations disclose the ingredients of the offence.

g. Ramachandra & Ors. v. State of Karnataka in CRL.P.No.100822/2016 dated 23.11.2016, Gunashekar N and Anr. v. Station House Officer, Bagalur Police Station in CRL.P.No.5911/2019 dated 10.03.2023, State by Lokayukta v. G. Ramachari in CRL.R.P.No.699/2017 dated 06.12.2024, Mariam Fasihuddin and Another v. State of Adugodi Police Station & Anr., reported in (2024) 11 SCC 733 and Thimmareddy v. Lakshmidevamma & Ors. in W.P.No.1994/2021 dated 09.11.2023 - Not permissible to obtain the opinion of a private party when the Government Forensic Laboratory is available.

h. T.T. Antony v. State of Kerala reported in (2001) 6 SCC 181 - Doctrine of Sameness.

45. The learned Senior Counsel Sri Sandesh J. Chouta submitted that the complaint in Crime No.54/2015 forms part of a series of litigations initiated by the complainant arising from the dispute over the

management, shareholding and control of the Company and the University, substantially similar allegations having been made in Crime Nos.97/2015, 104/2015, 105/2015, 108/2016, 115/2016 and 76/2016, all emanating from the same transactions, the repeated registration of cases on identical facts demonstrate a deliberate attempt to give a criminal colour to disputes that are essentially civil and corporate. It is submitted that such repeated registration of criminal cases on the same cause of action amounts to abuse of the criminal process.

46. Learned counsel would submit that the gravamen of the complaint is that the petitioners attempted to take over the affairs of Alliance Business School, threatened the complainant, removed company documents and manipulated the affairs of the institution. According to the petitioners, these allegations are wholly false and are part of a series of litigations initiated by the complainant arising out of an internal dispute regarding the management and control of the institution.

47. It is further contended that the complaint itself discloses that the dispute pertains to the management of the company, transfer of shares, control over the institution and the status of directors and shareholders. These issues are the subject matter of several civil proceedings and proceedings before the competent company law forum. Therefore, the criminal proceedings have been initiated only to exert pressure in what is essentially a civil and corporate dispute.

48. Learned counsel would submit that, pursuant to registration of FIR in Crime No.54/2015, the investigating agency conducted investigation and ultimately filed a 'C' Report on 25.08.2015. While filing the said report, the investigating officer observed that similar allegations had already been investigated in Crime Nos.97/2015, 104/2015 and 105/2015. It was also noticed that similar complaints had been lodged against another individual in Crime Nos.143/2015 and 144/2015. Having regard to the multiplicity of proceedings arising out of the same

allegations, the police found no justification to proceed independently and accordingly filed a 'C' final Report.

49. It is the specific contention of the petitioners that the allegation regarding disappearance of original company documents is demonstrably false. Reliance is placed on the complaint submitted by the then Finance Officer, Rajendrudu, pursuant to the resolution of the Board of Directors alleging that certain company records were missing. Subsequently, the very same officer addressed a communication to the jurisdictional police stating that no company documents were in fact missing; that all original records were available with the company; and that the earlier complaint had been lodged at the instance of the complainant. It is therefore submitted that the complainant has taken inconsistent stands, asserting in one version that the documents had gone missing and in another that they remained in his possession until the incident of 06.03.2015, which inconsistency casts doubt on

the veracity of the allegations and shows an ulterior motive.

50. It was further submitted that the dispute concerns shareholding, directorship, management and control, which are the subject matter of several civil suits and company proceedings pending before the competent forum; that the complainant himself has initiated multiple civil proceedings challenging the status of the petitioners as Directors and Shareholders; that the Civil Courts have passed interim orders restraining the complainant and his associates from interfering with the management and from representing themselves as Directors, Managing Director or Shareholders, which orders have been affirmed in appeal and have not yielded any relief to the complainant before the Hon'ble Apex Court; and that the complainant has instituted multiple proceedings through family members, employees and others on overlapping allegations, which repeated invocation of the criminal process is an abuse intended to exert pressure in disputes

relating to company affairs. It was accordingly urged that the allegations in Crime No.54/2015, even taken at their face value, arise out of civil and corporate disputes, and that their continuance would be a misuse of the criminal justice system.

51. Learned counsel would further submit that the subsequent communication of the Finance Officer also records that the shares had already been legally transferred and the original share certificates had been delivered to the respective transferees. This circumstance, according to the petitioners, completely demolishes the allegation that the petitioners had dishonestly removed or misappropriated the original share certificates and other company records.

52. It is further submitted that the complainant himself has taken mutually destructive stands in different criminal complaints. In the present complaint, it is alleged that the company records had gone missing even before

the Board meeting held on 04.03.2015. However, in the subsequent complaint registered in Crime No.107/2015 before Girinagar Police Station, the complainant specifically alleged that on 06.03.2015 the petitioners forcibly snatched the original share certificates and company records from his vehicle while he was proceeding to meet the Company Secretary. According to the petitioners, both versions cannot simultaneously be true. If the original documents had already gone missing before 04.03.2015, there could not have been any occasion for the complainant to carry those very documents on 06.03.2015. This material contradiction, it is submitted, strikes at the very root of the prosecution case.

53. Learned counsel would also refer to the paper publications issued by the complainant in April, 2015 and the complaint addressed to the Registrar of Companies. It is submitted that even in those documents, the complainant has not alleged any theft of documents by the petitioners nor has he referred to any incident of forcible

removal of company records. On the contrary, the communication addressed to the Registrar of Companies merely expresses an apprehension regarding possible changes in the directorship and shareholding pattern. According to the petitioners, the allegation of forgery, theft and criminal misconduct has been developed subsequently only with an intention to convert a corporate dispute into criminal litigation.

54. It is further contended that numerous civil suits have been instituted by the complainant before different Courts concerning the management and control of Alliance Business School and Alliance University. Several proceedings have also been initiated before the National Company Law Tribunal. The very question as to who is the lawful Director, Managing Director or Shareholder of the institution is pending adjudication before the competent forums. In such circumstances, the complainant cannot seek to resolve those disputes through repeated criminal prosecution.

55. Learned counsel would also submit that injunction orders passed by the competent Civil Court restraining the complainant and others from interfering with the affairs and management of the institution have been confirmed in appeal and the challenge before the Hon'ble Apex Court has also not succeeded. According to the petitioners, these orders clearly indicate that the dispute pertains to the management of the institution and not to any criminal act alleged against the petitioners.

56. It is lastly contended that the repeated filing of criminal complaints by the complainant, his wife, certain employees and other persons, all founded upon substantially identical facts, clearly demonstrates a systematic attempt to harass the petitioners by subjecting them to multiple criminal proceedings arising out of the same transaction. Such conduct, according to the petitioners, constitutes a clear abuse of the process of law and warrants interference by this Court in exercise of its inherent jurisdiction.

57. Consolidating the submissions, learned Senior Counsel for the petitioners would submit that the present prosecution is one among several criminal proceedings arising out of the same corporate dispute relating to the management and control of Alliance Business School. The allegations made in the complaint are inconsistent with the complainant's own subsequent complaints, contradicted by the statement of his authorised Finance Officer and are inseparably connected with issues already pending before the Civil Courts and the National Company Law Tribunal. It is contended that the criminal law has been repeatedly invoked to give a criminal colour to a civil and corporate dispute and to harass the petitioners by initiating multiple proceedings on the same set of facts. Therefore, continuation of the impugned proceedings would amount to abuse of the process of Court, and hence, the FIR and all consequential proceedings are liable to be quashed.

58. Learned Senior Counsel has placed reliance upon the following citations:

On Doctrine of Sameness:

a. T.T. Antony v. State of Kerala reported in (2001) 6 SCC 181.

b. Amitbhai Anilchandra Shah v. Central Bureau of Investigation and Another reported in (2013) 6 SCC 348.

c. Krishna Lal Chawla v. State of U.P., reported in (2021) 5 SCC 435.

d. Tarak Dash Mukharjee v. State of U.P., reported in 2022 SCC OnLine SC 2121.

e. Vijay Kumar Ghai v. State of West Bengal, reported in 2022 SCC Online SC 344 - Doctrine of sameness and quashing parameters.

f. State of Rajasthan v. Surendra Singh Rathore, reported in 2025 SCC OnLine SC 358,

g. B.V. Byre Gowda v. Nisar Ahmed, reported in 2021 SCC OnLine Kar 16127,

h. Sheethal Kumar v. State of Karnataka in Writ Petition No.104143/2021 (GM-RES),

i. Sidharth Sharma v. State of Karnataka in Criminal Petition No.183 of 2023.

j. Dr. M.G. Gopal v. State, Crl.R.P. No.34/2018 dated 18.01.2021 — on the Central Crime Branch / Criminal Investigation Department not being a police station competent to file a charge sheet.

k. Manjunath Hebbar v. State of Karnataka, 2021 SCC OnLine Kar 14933 — that a final report filed without authority under Section 173(2) is not a final report in the eye of law and the court cannot take cognizance under Section 190(1).

l. Premalatha Divakar v. State of Karnataka, Crl.R.P.No.638/2016 dated 29.12.2021 - that a charge sheet filed by the head of investigation officer of the Criminal Investigation Department is not a charge sheet in the eye of law.

m. Shreemajjagadguru Shankaracharya v. State of Karnataka, W.P. No.24266/2021 dated 07.03.2025 — to the same effect on the authority to file a charge sheet.

59. Learned Senior Counsel Sri. M.S. Shyamsundar, appearing for the petitioners submitted that all the

proceedings arise from a corporate and institutional dispute; that the Company was founded on 28.06.2005 by the two sisters, each holding half its shares, who built the Company and the University by their own efforts; that the complainant was inducted as a name-lender and appointed a Director on 25.04.2007, as another brother, Sri. Sudhir Angur, was then entangled in family litigation; that the sisters, reposing trust in the complainant, transferred their shares to him and he became Managing Director and Chancellor; that he thereafter mismanaged the institutions and misappropriated large sums; and that, on being confronted, he agreed, to avoid prosecution, to transfer his shareholding and that of his wife and to resign, which was done on 05.03.2015. It was submitted that the several complaints are cleverly and professionally drafted to frame the petitioners and to regain control, and are inconsistent, contradictory, omnibus and vague.

60. On the inconsistencies, it was submitted that, in relation to the events of 29.09.2016, the complainant filed

two complaints on the same day narrating the same incident with materially different timings - one stating that he was prevented at about 2.30 p.m. and the other, relatable to Crime No.267/2016, that the incident occurred at about 5.00 p.m. - and that, though the complaints were dated 29.09.2016, the FIR was registered only on 03.10.2016, after a delay of four days. It was submitted that the complaints relating to the 2015 crimes are inconsistent with one another and with the civil proceedings; the complainant issued a legal notice on 30.03.2015, stating that all original documents and share certificates were intact and in his safe custody, which contradicts the later allegation of theft and forgery; and that, when the complaint dated 06.03.2015 (Crime No.54/2015) and the complaint dated 13.04.2015 (Crime No.97/2015) are compared, both narrate the same incident in inconsistent terms. It was further submitted that the complaint dated 06.03.2015 was sought to be withdrawn by the letter of Sri. Rajandrudu dated

10.03.2016, stating that no documents were missing and that the originals had been handed over, which the police accepted by closing the file with an endorsement on 28.03.2016, demonstrating that the complaint dated 13.04.2015 is false.

61. On the campus incident, it was submitted that there was no order of any court directing the police to grant protection to the complainant to enter the campus; that the police were aware of subsisting injunctions in favour of the petitioners restraining the complainant from entering the campus, yet acted in connivance with him and attempted to assist his entry at about 9.00 p.m., which is beyond school hours and after sunset; that a Civil Court order can be executed only from sunrise to sunset under the Code of Civil Procedure; and that the police have no power to venture into the civil rights of citizens or to intervene in a dispute over the administration of an educational institution in the absence of a specific direction of a Civil Court or a genuine law-and-order problem, so

that the registration of the crimes was an abuse of power for extraneous considerations.

62. On the protection enjoyed by the petitioners, it was submitted that the petitioners were justified in representing themselves as Directors and Shareholders by virtue of the injunctions of the Civil Court restraining the complainant and his wife from posing as Directors, Managing Director or Shareholders and from interfering with the administration; that these injunctions, granted in O.S.No.1094/2016, O.S.No.2911/2016, O.S.No.3006/2016 and O.S.No.25699/2016, were confirmed by the trial Court, challenged in MFA No.8545/2017 and connected appeals which were dismissed by this Court, and carried to the Hon'ble Apex Court in S.L.P. (Civil) Diary Nos.23872/2018 and 23884/2018, which were dismissed after hearing; and that the petitioners have had the benefit of these orders from 2017 onwards, all applications of the complainant to vacate them having been dismissed.

63. On locus, it was submitted that the complainant was terminated as Chancellor on 07.04.2016 after enquiry by the sponsoring body; that this Court in MFA No.6011/2016 upheld the right of the sponsoring body under Section 11 of the Alliance University Act, 2010, to terminate a Chancellor, even one appointed for life, for valid reasons; that the Civil Courts have restrained the complainant from claiming to be the Chancellor, Managing Director or Shareholder; and that, despite this, the complainant has persistently and falsely represented himself as the lifetime Chancellor and filed complaints on that pretext, so that he lacks the locus to maintain them, having no occasion as an outsider to seek entry into the campus.

64. With specific reference to Crime Nos.97/2015, 104/2015 and 105/2015, learned Senior Counsel additionally submitted that, on 13.04.2015, the complainant filed both the complaint giving rise to Crime No.97/2015 and the civil suit in O.S.No.3395/2015

claiming to be the Managing Director, but that the contents of the two are wholly different. In the suit it is nowhere pleaded regarding the forgery of the digital signature, the role of Sri Krishna Prasad, or the uploading of the names of the petitioners before the Registrar of Companies, the averments in the suit reflecting the same narrative as the complaint, which shows the matter to be essentially civil cast in criminal form; and that the unconditional withdrawal of the suit was held to have the consequence of dislodging the contentions of the complainant. He reiterated the contentions on the orders of cognizance being vitiated for non-application of mind, relying upon ***Arjun Anjaneya Reddy (supra).***

65. On the authority of the DCIB, learned Senior Counsel submitted that all three charge sheets were filed by the Inspector attached to the DCIB, which has not been notified as a police station under Section 2(s) of the Cr.P.C., and is therefore not the officer in charge of a police station competent under Section 173(2) to file a

final report; that the analogy of the Cyber Crime Division of the Criminal Investigation Department, notified under Section 2(s) on 13.09.2001, and of the Lokayukta Police, notified on 30.03.2006, shows that only a department formally notified as a police station may validly file a charge sheet; and that, where a final report is filed without such authority, it is not a final report in the eye of law and the court cannot take cognizance under Section 190(1).

66. On the merits, learned Senior Counsel reiterated that the dispute is predominantly civil, relying upon ***Madhavrao Scindia and Parbatbhai Aahir (supra);*** that there is only the interested version of the complainant and his wife, the independent complainant Sri. Krishnamohan Ramineni having filed affidavits affirming the genuineness of the signatures of all three; that the handwriting expert's evidence is the weakest, was obtained from an interested private retired police official in preference to the Government Forensic Science Laboratory

and on photocopies, and that photocopies cannot determine forgery; and that the One-Man Commission headed by Prof. M.I. Savadatti found the complainant guilty of financial irregularities causing a loss of Rs.96,87,62,996/- to the University, a finding he did not challenge; that the complaint admits the receipt of the price of the shares, the bank records showing credits of Rs.12,25,000/- to the account of the complainant on 05.03.2015 and Rs.10,75,000/- to that of his wife on 06.03.2015; that the investigation is tainted; that Crime No.104/2015 having been quashed and not challenged by the complainant therein, become final, the connected crimes ought to fail; and that there is no acceptable evidence on the digital-signature forgery.

67. With reference to Crime No.76/2016 and the crimes arising from the campus incident of 29.09.2016, learned Senior Counsel submitted that the contents of the complaints are false and concocted; that the complainant falsely asserted the existence of Court orders permitting

his entry, which neither the police insisted upon nor the complainant produced; that the police, though aware that there were no such orders and that orders in fact restrained the complainant from entering, helped him to attempt an illegal entry with mala fide intent; that there is no connecting factor between the complainants and the contents, which differ across the complaints narrating the same incident; that the complainant, being an outsider with no official duty after his termination, had no occasion to seek entry, and the police ought to have proceeded against him for misrepresentation rather than registering crimes against the management and staff; that the public notices and warnings issued by the petitioners regarding the removal of the complainant from the office of Chancellor were within their rights; and that the complaints are vague and omnibus, were registered as an afterthought, with *mala fide* intention, the complainant having failed in many civil litigations.

68. Consolidating the submissions, learned Senior Counsel urged the grounds of absence of the essential ingredients of the offences; the predominantly civil character of the dispute; the inherent improbability of the allegations; the proceedings being attended with *mala fides* instituted to wreak vengeance; the doctrine of sameness; the want of authority of the DCIB; non-application of mind in the orders of cognizance; tainted and interested investigation; and abuse of process, praying that the petitions be allowed and the impugned proceedings quashed.

69. Learned Senior Counsel has placed reliance upon the following citations:

a. Ramachandra v. State of Karnataka, Crl.P.No.100822/2016 dated 23.11.2016, Crl.R.P.No.699/2017 dated 06.12.2024, Crl.P.No.5911/2019 dated 10.03.2023 and W.P.No.1994/2021 — on the impermissibility of a private expert opinion when the Government Forensic Science Laboratory is available, and

the requirement of comparison with original documents.

b. Dr. M.G. Gopal v. State, Crl.R.P.No.34/2018 dated 18.01.2021 - on the Central Crime Branch / Criminal Investigation Department not being a police station competent to file a charge sheet.

c. Manjunath Hebbar v. State of Karnataka, 2021 SCC OnLine Kar 14933 — that a final report filed without authority under Section 173(2) is not a final report in the eye of law and the court cannot take cognizance under Section 190(1).

d. Premalatha Divakar v. State of Karnataka, Crl.R.P.No.638/2016 dated 29.12.2021 - that a charge sheet filed by the head of investigation officer of the Criminal Investigation Department is not a charge sheet in the eye of law.

e. Shreemajjagadguru Shankaracharya v. State of Karnataka, W.P. No.24266/2021 dated 07.03.2025 - to the same effect on the authority to file a charge sheet.

Doctrine of Sameness

f. T.T. Antony v. State of Kerala reported in (2001) 6 SCC 181.

g. Amitbhai Anilchandra Shah v. Central Bureau of Investigation and Another reported in (2013) 6 SCC 348.

h. Krishna Lal Chawla v. State of U.P., reported in (2021) 5 SCC 435,

i. Tarak Dash Mukharjee v. State of U.P., reported in 2022 SCC OnLine SC 2121,

j. Vijay Kumar Ghai v. State of West Bengal, reported in 2022 SCC Online SC 344- Doctrine of sameness and quashing parameters.

k. State of Rajasthan v. Surendra Singh Rathore, reported in 2025 SCC OnLine SC 358,

l. B.V. Byre Gowda v. Nisar Ahmed, reported in 2021 SCC OnLine Kar 16127,

m. Sheethal Kumar v. State of Karnataka in Writ Petition No.104143/2021 (GM-RES),

n. Sidharth Sharma v. State of Karnataka in Criminal Petition No.183 of 2023.

Contentions of Learned Counsel for the Respondents/ De-facto Complainant:

70. The Learned counsel Smt. Ashima Mandla appeared for the de-facto complainants — Dr. Madhukar G. Angur and Smt. Priyanka B.S. and opposed the petitions. It was submitted, by way of introduction, that the de-facto complainants are the founders and the erstwhile Chancellor and Pro-Chancellor respectively of the University; that Dr. Madhukar G. Angur was the duly authorised signatory and the guarantor for the financial transactions of the Company and the University, and the sole person authorised to operate the University's accounts with Kotak Mahindra Bank; and that the connected crimes arise from the alleged illegal takeover of the Company and the University by the petitioners through forgery, cheating, criminal breach of trust, criminal conspiracy, misappropriation of funds and fabrication of documents.

71. It was contended that none of the conditions enumerated in paragraph 102 of ***State of Haryana v. Bhajan Lal, 1992 Supp (1) SCC 335,*** is satisfied; that the allegations, taken at their face value, prima facie disclose cognizable offences; and that the power under Section 482 of the Code is to be exercised sparingly, with caution, and in exceptional cases, the Court being neither required nor permitted at this stage to appreciate evidence, assess reliability, or draw inferences. It was submitted that, charge sheets having been filed in Crime Nos.97/2015 and 105/2015 and cognizance taken by the learned Magistrate in C.C.No.701/2015 and C.C.No.956/2015, the matter stands on a different footing, the Court being required to consider the material collected in investigation along with the charge sheet; that the test of proof beyond reasonable doubt applies only at trial; and that quashing is warranted only where the complaint is so bereft of the basic facts necessary to make out the offence, or is so clear an abuse of process.

72. It was submitted that there is substantial *prima facie* material in support of the allegations, independent of and in addition to the handwriting expert's report. It was contended that the petitioners fraudulently obtained the digital signature certificate of the complainant by impersonation, the petitioner Prakash Siddappa, disguising himself, having submitted forged signatures and forged identity documents to the certifying authority to procure the certificate; that the Inspector of the Anekal Police Station informed the Registrar of Companies on 29.04.2015 that the signatures of the complainant on the digital-signature application did not match those on the documents used to upload the forms; and that the Director of e-Sign India confirmed in writing on 06.05.2015 that the certificate had been wrongly issued by misrepresentation.

73. It was further submitted that the following material supports the allegations: the public notices issued by the complainant, regarding theft of company original

documents; the letters addressed to the Registrar of Companies, the Ministry of Corporate Affairs and Kotak Mahindra Bank cautioning them; the show-cause notice of the Registrar of Companies dated 07.05.2015, pursuant to which the three Form DIR-12 uploaded on 13.04.2015 were marked defective, coupled with the petitioners' written consent of 02.06.2015 and 03.06.2015 to their invalidation, which is an admission of their defective character, the orders of the Registrar of Companies dated 07.05.2017, 28.03.2019 and 24.09.2019 marking the five Form DIR-12 and the revised Form MGT-7 of 2016 defective, those having been uploaded through Sri. Krishnamohan Ramineni, a resigned director who had earlier been an ally of the complainants but changed sides in 2016; the charge sheets in C.C.No.701/2015 and C.C.No.956/2015; the statement of the witness Pramod under Section 161 of Cr.P.C. that he was approached by Sri Prakash Siddappa on 11.04.2015 to fraudulently apply for a digital signature in the name of the complainant; the

report of the Chartered Accountant evidencing the opening of unauthorised accounts with Vijaya Bank and the deposit of fees collected from students; the speaking order of the Registrar of Companies dated 24.09.2019 recording the illegal change of shareholding and directorship through fabricated and forged documents; the statements under Section 161 of Cr.P.C. and other material in the crimes pending investigation; and the earlier order of this Court dated 04.10.2016, which quashed the proceedings only on the ground of maintainability, observing that the petitioners might succeed if recourse were taken under Section 237 of the Companies Act, 1956, and recording no finding that no *prima facie* case was made out.

74. It was contended that the acts alleged disclose the ingredients of forgery and fabrication of documents (Sections 463, 465, 468, 471 and 474 of IPC), through forged resignation letters, share transfer forms, board resolutions and Form DIR-12; of fraudulent procurement and use of the digital signature certificate and allied

computer offences (Sections 66C, 66D, 71, 73, 74 and 77 of the Information Technology Act, 2000); of cheating of the statutory authorities (Section 420); of criminal breach of trust by persons entrusted with responsibilities in the Company (Section 406); of criminal conspiracy (Section 120B); of criminal intimidation and breach of the peace by threats administered to the complainants and their family (Section 506 and allied provisions); and of the unauthorised opening and operation of bank accounts with Vijaya Bank and the consequent misappropriation of the funds of the University, including the fees collected from students, over several years.

75. It was contended that the claim of the petitioners that the complainants voluntarily signed the resignation letters and share transfer documents is contradicted by the public notices and letters of the complainants, the expert's report, the petitioners' own consent to the invalidation of the forms, and the findings of the Registrar of Companies; and that whether the

signatures are genuine or forged, the circumstances in which the digital signature was obtained, the validity of the Form DIR-12 and the revised Form MGT-7, and the intent behind the re-uploading of the forms after consent to their invalidation, are all disputed questions of fact to be tried, and cannot be adjudicated under Section 482 Cr.P.C. It was submitted that signatures and handwriting may be proved not only by expert opinion but also under Sections 45, 47 and 73 of the Indian Evidence Act, 1872, the expert opinion not being the only mode, and that a private laboratory report cannot be summarily rejected and there must be strong reasons to disbelieve it and, on the evidentiary use of Section 73 and the limits upon the Court undertaking its own comparison. It was added that a report based on photocopies is not a ground for quashing, the material being for the trial Court to examine.

76. Meeting the objection that the report was obtained from a private laboratory and not from the Government Forensic Science Laboratory, it was submitted

that it was obtained by the Inspector of the Anekal Police Station owing to the urgency of the matter and the backlog at the State laboratory, as is evident from the forwarding and requisition letter dated 18.04.2015 addressed to the Deputy Superintendent of Police, the urgency being imperative since delay would have enabled the petitioners to complete further fraudulent transactions; and that the correctness and evidentiary value of such a report is to be assessed at trial under Section 45, 47, 67 and 73 of the Indian Evidence Act, 1872, and is not a ground for quashing.

77. It was contended that the pendency of civil proceedings does not bar criminal proceedings on the same facts, civil and criminal proceedings being capable of proceeding simultaneously on different standards of proof; that a decision of the Civil Court or the National Company Law Tribunal is not binding on the Criminal Court; that the civil suit in O.S.No.1094/2016 was filed by the petitioners themselves and withdrawn, there being no subsisting civil

proceeding of the complainants in conflict with the prosecution; and that the Companies Act provides remedies for corporate governance but does not extinguish criminal liability for forgery, impersonation and fraud, the Registrar of Companies having itself referred the questions of forgery and fraudulent use of the digital signature to the Criminal Court.

78. It was contended that the earlier order of this Court dated 04.10.2016 quashing the proceedings was solely on the ground of maintainability under Section 237 of the Companies Act, 1956, and not on the merits; that the Hon'ble Apex Court, by order dated 30.01.2025, set aside that reasoning as untenable in law and remitted the matters for fresh consideration on the merits; that the present enquiry is therefore confined to whether the materials disclose a *prima facie* case, the petitioners being precluded from raising fresh arguments, and that the question whether the Companies Act bars the criminal

proceedings stands concluded against the petitioners and does not survive.

79. It was contended that the civil and company proceedings do not merge with or subsume the criminal proceedings; that the principles of *res judicata* and the doctrine of sameness have no application to parallel civil and criminal proceedings, and a complaint by each complainant, registered as a separate crime, is not barred merely because similar complaints are filed by different persons or on different dates; and that Crime No.76/2016 relates to a separate and more egregious second round of fraudulent uploads, committed during the period the complainant was in custody, using the digital signature of a resigned director, and re-uploading forms already invalidated by the Registrar of Companies, so that its registration is permissible.

80. It was contended that there is no requirement under the Cr.P.C. that an order of cognizance be a detailed

and reasoned order, the Magistrate needing only to be satisfied that there is sufficient ground to proceed, and that a charge sheet cannot be quashed merely because the order of cognizance is unreasoned, all contentions of the accused being available at the stage of framing of charge.

81. It was contended that the abuse of process lies on the side of the petitioners: that, having consented to the invalidation of the three Form DIR-12, they re-uploaded the same and further forms on 23.02.2016, using the digital signature of Sri. Krishnamohan Ramineni while he was under injunction and had resigned; that a false case was set up against the complainant to keep him in judicial custody. While the second round of forms was uploaded; that the petitioners have employed *ex-parte* civil injunctions, including those obtained on 27.10.2017 in O.S.No.2963/2017 and O.S.No.1548/2017 upon a misrepresentation of facts, to obstruct the investigation; and that the petitioners have, across every forum — this

Court, the National Company Law Tribunal, the National Company Law Appellate Tribunal and the Registrar of Companies - challenged jurisdiction and maintainability with the object of avoiding a trial. Learned counsel also referred, as indicating the gravity of the dispute, to a separate sessions case concerning the death of a former Vice-Chancellor of the University, while acknowledging that the said case is not the subject matter of the present petitions.

82. It was submitted that the handwriting expert's report forming part of the charge sheets affirmatively confirms the forgery of the signatures of both complainants on the Form DIR-12 uploaded on 13.04.2015, and that this extends to the documents re-uploaded in 2016; that the petitioners, having consented to the invalidation of the forms, re-uploaded the same on 23.02.2016 together with five further Form DIR-12 and a revised Form MGT-7; that the charge sheet discloses that, on 14.04.2015, the petitioner-Abhay Chebbi

addressed a letter to Kotak Mahindra Bank asserting ownership of the Company on the strength of the forged documents and seeking to change the authorised signatory; and that the claim of voluntary resignation is untenable in the light of the conduct of threatening the complainants, orchestrating a false case against the complainant through his sister, and exploiting his period of custody to re-upload the forms.

83. It was submitted that these crimes pertain to the further acts committed after the release of the complainant from custody - the falsified newspaper publications that the complainant had been terminated as Chancellor, the continued illegal takeover of the Company through forged documents, and further acts of forgery and misappropriation - and that, the investigation being pending, quashing at this stage would cause irreparable prejudice.

84. It was submitted that the petitioners, acting in concert with an unauthorised Company Secretary, changed the directorship and shareholding of the Company by uploading forged and fabricated documents using the stolen and forged digital signature of the complainant obtained through the e-Sign India platform, and that sufficient material has been collected to warrant continuation of the investigation.

85. It was submitted that the petitioner Sri. Sudhir Angur was fraudulently appointed as Pro-Vice-Chancellor of the University using the forged directorship documents, and that unauthorised bank accounts were opened with Vijaya Bank in the name of the University to embezzle student fees, the report of the Chartered Accountants (Haridas & Associates) on inspection of the accounts for April to September, 2016 disclosing that a sum of Rs.76,38,79,208/- could not be traced from the records.

86. It was submitted that this crime concerns the genesis of the matter - the coercion and intimidation of the complainant at his office on 01.03.2015 and the threats administered to his wife at the residence on 05.03.2015 - and that the allegations make out cognizable offences of criminal intimidation and criminal conspiracy; that a closure report was filed but the trial Court permitted further investigation; and that, the order quashing this crime having rested solely on the earlier order set aside by the Hon'ble Apex Court, it must now be examined on its own merits.

87. It was submitted that this matter concerns the illegal assumption by the petitioner-group of the offices of Pro-Chancellor, Vice-Chancellor, and the consequential misappropriation of the funds of the University, including fees raised from students, through unauthorised accounts opened with Vijaya Bank, causing immense financial loss.

88. Consolidating the submissions, learned counsel urged that there is *prima facie* material and sufficiency of investigation material; that there are disputed questions of fact requiring trial; that the serious allegations of fraud, forgery and conspiracy are supported by documentary and expert materials; that the objection to the private laboratory report is not a ground for quashing; that the pendency of a civil suit is not a bar; and that the proceedings are not an abuse of process, being founded on the admission of the certifying authority, the signature-mismatch finding of the Investigating Officer, the expert's report and the formal invalidation of the forms by the Registrar of Companies. It was accordingly prayed that the petitions be dismissed, the investigations be permitted to continue to their conclusion, and the prosecutions in which cognizance has been taken be permitted to proceed to trial.

89. The learned counsel for the de-facto complainants has placed reliance upon following citations:

A. Simultaneous civil and criminal proceedings arising from the same set of facts - P. Swaroopa Rani v. M. Hari Narayana, (2008) 5 SCC 765; Vishnu Dutt Sharma v. Daya Sapra, (2009) 13 SCC 729; Amit Kapoor v. Ramesh Chander, (2012) 9 SCC 460; K.G. Premshanker v. Inspector of Police, (2002) 8 SCC 87; M. Krishnan v. Vijay Singh, (2001) 8 SCC 645; Karam Chand Ganga Prasad v. Union of India, (1970) 3 SCC 694; M.S. Sheriff v. State of Madras, (1954) 1 SCC 524; Vanitha v. State of Karnataka, 2024 SCC OnLine Kar 11961;

B. Test of *prima facie* offence at the stage of quashing - Balaji Trading Company v. Saifulla Khan, 2017 SCC OnLine Kar 4466; Manjunath v. State of Karnataka Crl.P. No.8939/2018, Manorama Naik v. State of Odisha & Anr, SLP(Crl)No.9722/2016, State (Delhi Admn.) v. Pali Ram reported in (1979) 2 SCC 158; Thiruvengadam Pillai v. Navaneethammal (2008) 4 SCC 530; Sukhvinder Singh v. State of Punjuab (1994) 5 SCC 152; State of Haryana v. Bhajan Lal, 1992 Supp (1) SCC 335; Indian Oil Corporation v. NEPC India Limited, (2006) 6 SCC 736; Kaptan Singh v. State of Uttar

Pradesh, (2021) 9 SCC 35; Jagmohan Singh v. Vimlesh Kumar, 2022 SCC OnLine SC 2418;

C. Evidence Cannot be appreciated at the stage of quashing - Abhishek Singh v. Ajay Kumar, 2025 SCC OnLine SC 1313; Nitin Pahariya v. State of Madhya Pradesh, 2024 SCC OnLine MP 1883; State of Bihar v. Rajendra Agrawalla., (1996) 8 SCC 164.

D. Summoning/Cognizance Order not required to state reason - Bhushan Kumar v. State (NCT of Delhi), (2012) 5 SCC 424; Pramila Devi v. State of Jharkhand, 2025 SCC OnLine SC 886.

E. Forgery, expert evidence and the forensic report - State of Rajasthan v. Surendra Singh Rathore, 2025 SCC OnLine SC 358; Ish Bhatnagar v. State, 2023 SCC OnLine Del 4120.

F. Doctrine of sameness does not apply - PrabhunaikaK.T. v. State of Karnataka, Crl.P.No.2015/2022; Dr. Pawan Tamrakar v. M.P. Special Police Establishment, W.P. No.7496/2021; State of Rajasthan v. Surendra Singh Rathore, 2025 SCC OnLine SC 358.

G. Limited Jurisdiction of Court to act within the limits of Remand Order - Popcorn Entertainment Corporation v. City Industrial Development Corporation, 2009 SCC OnLine Bom 1326; Kiran Thakur v. Krishan Lal, 2024 SCC OnLine HP 2662.

H. Stay Operation on judgment of the High Court does not wipe out the dicta — Sri Arts and Crafts Society v. State of Andhra Pradesh, 2023 SCC OnLine AP 3606; Government of A.P. v. N. Rami Reddy, 2000 SCC OnLine AP 721.

90. Learned High Court Government Pleader appearing for the State supported the registration of the crimes and the consequential investigation. It was submitted that the complaints disclosed cognizable offences warranting investigation; that upon investigation, charge sheets have been filed in Crime Nos.97/2015. 104/2015 and 105/2015, pursuant to which cognizance has been taken by the jurisdictional Court; and that the investigations in the remaining crimes are at different stages. It was further submitted that the material collected

during investigation *prima facie* discloses the offences alleged and that the State, in discharge of its statutory duty, was justified in investigating the complaints and initiating prosecution wherever the investigation revealed commission of cognizable offences.

Court Analysis:

91. The principles governing the exercise of inherent power are well settled. The power to quash is to be exercised sparingly. The Court does not appreciate or weigh the evidence, assess the credibility of witnesses, decide disputed questions of fact. This Court does not, at this stage, undertake a trial, appreciate evidence, or determine the genuineness of any signature, the Court records its findings upon the merits of the case. The Court has, for each category of allegation, identified the offence invoked and its ingredients, examined the material gathered in investigation, and assessed whether the ingredients are *prima facie* disclosed separately

considering the effect of the parallel civil and company proceedings.

92. Having regard to the pleadings, the materials placed on record, and the submissions of learned counsel on both sides, and bearing in mind the scope of the present consideration as defined by the orders of remand, the nature of the present exercise is therefore a fresh consideration, on merits, of whether the materials placed on record and the allegations in each crime, disclose the commission of the offences alleged, and whether the continuance of the proceedings would amount to an abuse of process.

93. The same factual matrix which forms basis to initiate criminal proceeding has generated extensive proceedings before the Civil Courts, the company law forum, the Registrar of Companies and this Court on the civil side. These proceedings are noticed here, with what occurred in each, because the petitioners place substantial

reliance upon them and because they form part of the background to the criminal complaints.

94. Several civil suits arose from the dispute. On 13.04.2015, the date on which the complaint in Crime No.97/2015 was lodged, O.S.No.3395/2015 was filed in the name of the Company through Dr. Madhukar G. Angur seeking a declaration that he continued to be the Managing Director. The said suit was unconditionally withdrawn. O.S.No.5148/2017 was filed by the Company, and O.S.No.3932/2017 by the University, against Dr. Madhukar G. Angur and Smt. Priyanka B.S., in which the trial Court granted temporary injunctions by a common order dated 21.10.2017 restraining them from holding themselves out as Directors, Managing Director or Shareholders and from interfering with the administration. O.S.No.4202/2016 was filed against the Registrar of Companies, in which an *ex-parte* injunction was vacated.

95. The order dated 21.10.2017 was challenged in MFA Nos.8545, 8554, 8562, 8847 and 8356 of 2017, which were dismissed by this Court by common judgment dated 28.03.2018. The matter was carried to the Hon'ble Apex Court in S.L.P. (Civil) Diary Nos.23872/2018 and 23884/2018, which were finally dismissed on merits by vide order dated 17.03.2023, with a direction that the suit be expedited, the Court noticing that the interim injunction had operated for about six years. Separately, in MFA No.6011/2016, this Court upheld the right of the sponsoring body under Section 11 of the Alliance University Act, 2010 to terminate the appointment of a Chancellor for valid reasons.

96. An application (I.A. No.XIV) filed by Dr. Madhukar G. Angur and Smt. Priyanka B.S. for vacation of the temporary injunction in O.S.No.5148/2017, on the ground of changed circumstances, was dismissed by the trial Court on 23.09.2025. Company petitions are stated to be pending before the National Company Law

Tribunal. It is also placed on record that the Government of Karnataka terminated Dr. Madhukar G. Angur as Chancellor, by order dated 07.04.2016, appointed a One-Man Commission, which reported financial irregularities against him, and that his challenge to the constitution of that Commission in W.P.No.58281/2016 was dismissed on 04.06.2024. Same set of facts has generated extensive litigation on the civil and company side. The Division Bench of this Court, in Company Appeal No.8/2016, affirmed that the question of title to shares falls to the Civil Court and not to the company forum.

97. The suit in O.S.No.3395/2015, filed by the de-facto complainant claiming to continue as Managing Director was unconditionally withdrawn; injunctions were granted in favour of the petitioners and against the de-facto complainant by the Civil Court and again, in respect of the Company and the University, by the common order dated 21.10.2017 in O.S.No.5148/2017 and O.S.No.3932/2017; those injunctions were affirmed

by this Court in MFA No.8545/2017 and the connected appeals, and the challenge of the de-facto complainant before the Hon'ble Apex Court was dismissed. The right of the sponsoring body to terminate the Chancellor was upheld by this Court in MFA No.6011/2016. Company Petitions are pending before the National Company Law Tribunal (C.P.Nos.175/2017 and 102/BB/2021), and the State Government, having terminated the de-facto complainant as Chancellor, appointed a One-Man Commission which reported financial irregularities against him.

98. It is therefore evident that the dispute between the parties originates from, and substantially concerns, competing claims regarding the shareholding, the directorship, and the management and control of M/s. Alliance Business School and Alliance University; that the validity of the share transfers, of the changes in directorship, and of the management rights has been, and remains, the subject matter of multiple proceedings before

the competent civil and company forum; and that several of those forum have already examined aspects of the dispute, the interim orders presently standing in favour of the petitioners. The criminal complaints came to be lodged in the very backdrop of this ongoing corporate and civil contest, and the outcomes before the several forum point to the predominantly civil and company-law character of the controversy.

99. A striking feature of these petitions is the multiplicity of criminal proceedings. From a single underlying transaction - the change of directorship and shareholding effected through the filings before the Registrar of Companies - there flowed Crime Nos.97/2015, 104/2015 and 105/2015, registered within days of one another on the complaint of the de-facto complainant, his wife and his associate; and the further events generated Crime Nos.76/2016, 108/2016 and 115/2016 and, later, the cluster of crimes arising from the incident of 29.09.2016. The complaints proceed from the same

informant or from persons acting at his instance, against the same group of accused, at the same police station, and upon the same corporate dispute.

100. The principle governing successive complaints is settled in the following judgments rendered by Hon'ble Apex Court:

a. In **T.T. Antony v. State of Kerala,** reported in **(2001) 6 SCC 181,** wherein it is held that:

> **"***18. An information given under sub-section (1) of Section 154 CrPC is commonly known as first information report (FIR) though this term is not used in the Code. It is a very important document. And as its nickname suggests it is the earliest and the first information of a cognizable offence recorded by an officer in charge of a police station. It sets the criminal law in motion and marks the commencement of the investigation which ends up with the formation of opinion under Section 169 or 170 CrPC, as the case may be, and forwarding of a police report under Section 173 CrPC. It is quite possible and it happens not infrequently that more informations than one are given to a police officer*

in charge of a police station in respect of the same incident involving one or more than one cognizable offences. In such a case he need not enter every one of them in the station house diary and this is implied in Section 154 CrPC. Apart from a vague information by a phone call or a cryptic telegram, the information first entered in the station house diary, kept for this purpose, by a police officer in charge of a police station is the first information report — FIR postulated by Section 154 CrPC. All other informations made orally or in writing after the commencement of the investigation into the cognizable offence disclosed from the facts mentioned in the first information report and entered in the station house diary by the police officer or such other cognizable offences as may come to his notice during the investigation, will be statements falling under Section 162 CrPC. No such information/statement can properly be treated as an FIR and entered in the station house diary again, as it would in effect be a second FIR and the same cannot be in conformity with the scheme of CrPC. Take a case where an FIR mentions cognizable offence under Section 307 or 326 IPC and the investigating agency learns during the investigation or receives fresh information that the victim died, no fresh FIR under Section 302 IPC

need be registered which will be irregular; in such a case alteration of the provision of law in the first FIR is the proper course to adopt. Let us consider a different situation in which H having killed W, his wife, informs the police that she is killed by an unknown person or knowing that W is killed by his mother or sister, H owns up the responsibility and during investigation the truth is detected; it does not require filing of fresh FIR against H — the real offender — who can be arraigned in the report under Section 173(2) or 173(8) CrPC, as the case may be. It is of course permissible for the investigating officer to send up a report to the Magistrate concerned even earlier that investigation is being directed against the person suspected to be the accused.

19. The scheme of CrPC is that an officer in charge of a police station has to commence investigation as provided in Section 156 or 157 CrPC on the basis of entry of the first information report, on coming to know of the commission of a cognizable offence. On completion of investigation and on the basis of the evidence collected, he has to form an opinion under Section 169 or 170 CrPC, as the case may be, and forward his report to the Magistrate concerned under Section 173(2) CrPC. However, even after filing such a report, if he comes into

possession of further information or material, he need not register a fresh FIR; he is empowered to make further investigation, normally with the leave of the court, and where during further investigation he collects further evidence, oral or documentary, he is obliged to forward the same with one or more further reports; this is the import of sub-section (8) of Section 173 CrPC.

20. From the above discussion it follows that under the scheme of the provisions of Sections 154, 155, 156, 157, 162, 169, 170 and 173 CrPC only the earliest or the first information in regard to the commission of a cognizable offence satisfies the requirements of Section 154 CrPC. Thus there can be no second FIR and consequently there can be no fresh investigation on receipt of every subsequent information in respect of the same cognizable offence or the same occurrence or incident giving rise to one or more cognizable offences. On receipt of information about a cognizable offence or an incident giving rise to a cognizable offence or offences and on entering the FIR in the station house diary, the officer in charge of a police station has to investigate not merely the cognizable offence reported in the FIR but also other connected offences found to have been committed in the course of the same transaction or the same

occurrence and file one or more reports as provided in Section 173 CrPC.

xxxx

25. Where the police transgresses its statutory power of investigation the High Court under Section 482 CrPC or Articles 226/227 of the Constitution and this Court in an appropriate case can interdict the investigation to prevent abuse of the process of the court or otherwise to secure the ends of justice.

26. In State of Haryana v. Bhajan Lal [State of Haryana v. Bhajan Lal, 1992 Supp (1) SCC 335 : 1992 SCC (Cri) 426] after exhaustive consideration of the decisions of this Court in State of W.B. v. Swapan Kumar Guha [(1982) 1 SCC 561 : 1982 SCC (Cri) 283] , S.N. Sharma v. Bipen Kumar Tiwari [(1970) 1 SCC 653 : 1970 SCC (Cri) 258] , R.P. Kapur v. State of Punjab [AIR 1960 SC 866 : (1960) 3 SCR 388 : 1960 Cri LJ 1239] , Nandini Satpathy v. P.L. Dani [(1978) 2 SCC 424 : 1978 SCC (Cri) 236] and Prabhu Dayal Deorah v. District Magistrate, Kamrup [(1974) 1 SCC 103 : 1974 SCC (Cri) 18] , approving the judgment of the Privy Council in Khwaja Nazir Ahmad case [AIR 1945 PC 18 : 46 Cri LJ 413] it was concluded in para 102 as follows: (SCC pp. 378-79)

"102. In the backdrop of the interpretation of the various relevant provisions of the Code under Chapter XIV and of the principles of law enunciated by this Court in a series of decisions relating to the exercise of the extraordinary power under Article 226 or the inherent powers under Section 482 of the Code which we have extracted and reproduced above, we give the following categories of cases by way of illustration wherein such power could be exercised either to prevent abuse of the process of any court or otherwise to secure the ends of justice, though it may not be possible to lay down any precise, clearly defined and sufficiently channelised and inflexible guidelines or rigid formulae and to give an exhaustive list of myriad kinds of cases wherein such power should be exercised.

(1) Where the allegations made in the first information report or the complaint, even if they are taken at their face value and accepted in their entirety do not prima facie constitute

any offence or make out a case against the accused.

(2) Where the allegations in the first information report and other materials, if any, accompanying the FIR do not disclose a cognizable offence, justifying an investigation by police officers under Section 156(1) of the Code except under an order of a Magistrate within the purview of Section 155(2) of the Code.

(3) Where the uncontroverted allegations made in the FIR or complaint and the evidence collected in support of the same do not disclose the commission of any offence and make out a case against the accused.

(4) Where, the allegations in the FIR do not constitute a cognizable offence but constitute only a non-cognizable offence, no investigation is permitted by a police officer without an order of a Magistrate as contemplated under Section 155(2) of the Code.

(5) Where the allegations made in the FIR or complaint are so absurd and inherently improbable on the basis of which no prudent person can ever reach a just conclusion that there is sufficient ground for proceeding against the accused.

(6) Where there is an express legal bar engrafted in any of the provisions of the Code or the Act concerned (under which a criminal proceeding is instituted) to the institution and continuance of the proceedings and/or where there is a specific provision in the Code or the Act concerned, providing efficacious redress for the grievance of the aggrieved party.

(7) Where a criminal proceeding is manifestly attended with mala fides and/or where the proceeding is maliciously instituted with an ulterior motive for wreaking vengeance on the accused and with a view to spite him due to private and personal grudge."

The above list, as noted, is illustrative and not exhaustive.

27. A just balance between the fundamental rights of the citizens under Articles 19 and 21 of the Constitution and the expansive power of the police to investigate a cognizable offence has to be struck by the court. There cannot be any controversy that sub-section (8) of Section 173 CrPC empowers the police to make further investigation, obtain further evidence (both oral and documentary) and forward a further report or reports to the Magistrate. In Narang case [(1979) 2 SCC 322 : 1979 SCC (Cri) 479] it was, however, observed that it would be appropriate to conduct further investigation with the permission of the court. However, the sweeping power of investigation does not warrant subjecting a citizen each time to fresh investigation by the police in respect of the same incident, giving rise to one or more cognizable offences, consequent upon filing of successive FIRswhether before or after filing the final report under Section 173(2) CrPC. It would clearly be beyond the purview of Sections 154 and 156 CrPC, nay, a case of abuse of the statutory power of investigation in a given case. In our view a case of fresh investigation based on the second or successive FIRs, not being a counter-case, filed in connection with the same or connected cognizable offence alleged to have been committed in the course of the same transaction

*and in respect of which pursuant to the first FIR either investigation is under way or final report under Section 173(2) has been forwarded to the Magistrate, may be a fit case for exercise of power under Section 482 CrPC or under Articles 226/227 of the Constitution.**"***

b. In **Babubhai v. State of Gujarat,** reported in **(2010) 12 SCC 254**, the test of sameness was explained as whether the two crimes relate to the same incident in respect of the same occurrence; relevant paragraphs are extracted hereunder:

"Two FIRs

13. In Ram Lal Narang v. State (Delhi Admn.) [(1979) 2 SCC 322: 1979 SCC (Cri) 479: AIR 1979 SC 1791] this Court considered a case wherein two FIRs had been lodged. The first one formed part of a subsequent larger conspiracy which came to light on receipt of fresh information. Some of the conspirators were common in both the FIRs and the object of conspiracy in both the cases was not the same. This Court while considering the question as to whether investigation and further proceedings on the basis of both the FIRs was

permissible held that no straitjacket formula can be laid down in this regard. The only test whether two FIRs can be permitted to exist was whether the two conspiracies were identical or not. After considering the facts of the said case, the Court came to the conclusion that both conspiracies were not identical. Therefore, lodging of two FIRs was held to be permissible.

4. In T.T. Antony v. State of Kerala [(2001) 6 SCC 181 : 2001 SCC (Cri) 1048] this Court dealt with a case wherein in respect of the same cognizable offence and same occurrence two FIRs had been lodged and the Court held that : (SCC p. 181d-e)

> *"There can be no second FIR and no fresh investigation on receipt of every subsequent information in respect of the same cognizable offence or same occurrence giving rise to one or more cognizable offences."*
>
> *(emphasis supplied)*
>
> *The investigating agency has to proceed only on the information about commission of a cognizable offence which is first entered in the police station diary by the officer-in-charge*

under Section 158 of the Code of Criminal Procedure, 1973 (hereinafter called "CrPC") and all other subsequent information would be covered by Section 162 CrPC for the reason that it is the duty of the investigating officer not merely to investigate the cognizable offence reported in the FIR but also other connected offences found to have been committed in the course of the same transaction or the same occurrence and the investigating officer has to file one or more reports under Section 173 CrPC. Even after submission of the report under Section 173(2) CrPC, if the investigating officer comes across any further information pertaining to the same incident, he can make further investigation, but it is desirable that he must take the leave of the court and forward the further evidence, if any, with further report or reports under Section 173(8) CrPC. In case the officer receives more than one piece of information in respect of the same incident involving one or more than one cognizable offences such

> *information cannot properly be treated as an FIR as it would, in effect, be a second FIR and the same is not in conformity with the scheme of CrPC.*

15. The Court further observed as under : (T.T. Antony case [(2001) 6 SCC 181 : 2001 SCC (Cri) 1048] , SCC p. 200, para 27)

> *"27. A just balance between the fundamental rights of the citizens under Articles 19 and 21 of the Constitution and the expansive power of the police to investigate a cognizable offence has to be struck by the court. There cannot be any controversy that sub-section (8) of Section 173 CrPC empowers the police to make further investigation, obtain further evidence (both oral and documentary) and forward a further report or reports to the Magistrate. … However, the sweeping power of investigation does not warrant subjecting a citizen each time to fresh investigation by the police in respect of the same incident, giving rise to one or more cognizable offences, consequent upon filing of successive FIRs whether*

> *before or after filing the final report under Section 173(2) CrPC. It would clearly be beyond the purview of Sections 154 and 156 CrPC, nay, a case of abuse of the statutory power of investigation in a given case. In our view a case of fresh investigation based on the second or successive FIRs, not being a counter-case, filed in connection with the same or connected cognizable offence alleged to have been committed in the course of the same transaction and in respect of which pursuant to the first FIR either investigation is under way or final report under Section 173(2) has been forwarded to the Magistrate, may be a fit case for exercise of power under Section 482 CrPC or under Articles 226/227 of the Constitution."*

16. In Upkar Singh v. Ved Prakash [(2004) 13 SCC 292 : 2005 SCC (Cri) 211] , this Court considered the judgment in T.T. Antony [(2001) 6 SCC 181 : 2001 SCC (Cri) 1048] and explained that the judgment in the said case does not exclude the registration of a complaint in the nature of counterclaim from the purview of the court.

What had been laid down by this Court in the aforesaid case is that any further complaint by the same complainant against the same accused, subsequent to the registration of a case, is prohibited under CrPC because an investigation in this regard would have already started and further the complaint against the same accused will amount to an improvement on the facts mentioned in the original complaint, hence, will be prohibited under Section 162 CrPC. However, this rule will not apply to a counterclaim by the accused in the first complaint or on his behalf alleging a different version of the said incident. Thus, in case, there are rival versions in respect of the same episode, the investigating agency would take the same on two different FIRs and investigation can be carried under both of them by the same investigating agency and thus, filing an FIR pertaining to a counterclaim in respect of the same incident having a different version of events, is permissible.

17. In Rameshchandra Nandlal Parikh v. State of Gujarat [(2006) 1 SCC 732 : (2006) 1 SCC (Cri) 481] this Court reconsidered the earlier judgment including T.T. Antony [(2001) 6 SCC 181 : 2001 SCC (Cri) 1048] and held that in case the FIRs are not in respect of the same cognizable offence or the same occurrence giving rise to one or more

cognizable offences nor are they alleged to have been committed in the course of the same transaction or the same occurrence as the one alleged in the first FIR, there is no prohibition in accepting the second FIR.

18. In Nirmal Singh Kahlon v. State of Punjab [(2009) 1 SCC 441 : (2009) 1 SCC (Cri) 523] this Court considered a case where an FIR had already been lodged on 14-6-2002 in respect of the offences committed by individuals. Subsequently, the matter was handed over to the Central Bureau of Investigation (CBI), which during investigation collected huge amount of material and also recorded statements of large number of persons and CBI came to the conclusion that a scam was involved in the selection process of Panchayat Secretaries. The second FIR was lodged by CBI. This Court after appreciating the evidence, came to the conclusion that matter investigated by CBI dealt with a larger conspiracy. Therefore, this investigation has been on a much wider canvass and held that second FIR was permissible and required to be investigated.

19. The Court held as under : (Nirmal Singh Kahlon case [(2009) 1 SCC 441 : (2009) 1 SCC (Cri) 523] , SCC pp. 466-67, para 67)

> *"67. The second FIR, in our opinion, would be maintainable not only because there were different versions but when new discovery is made on factual foundations. Discoveries may be made by the police authorities at a subsequent stage. Discovery about a larger conspiracy can also surface in another proceeding, as for example, in a case of this nature. If the police authorities did not make a fair investigation and left out conspiracy aspect of the matter from the purview of its investigation, in our opinion, as and when the same surfaced, it was open to the State and/or the High Court to direct investigation in respect of an offence which is distinct and separate from the one for which the FIR had already been lodged."*

20. Thus, in view of the above, the law on the subject emerges to the effect that an FIR under Section 154 CrPC is a very important document. It is the first information of a cognizable offence recorded by the officer in charge of the police station. It sets the machinery of criminal law in motion and marks the commencement of the

investigation which ends with the formation of an opinion under Section 169 or 170 CrPC, as the case may be, and forwarding of a police report under Section 173 CrPC. Thus, it is quite possible that more than one piece of information be given to the police officer in charge of the police station in respect of the same incident involving one or more than one cognizable offences. In such a case, he need not enter each piece of information in the diary. All other information given orally or in writing after the commencement of the investigation into the facts mentioned in the first information report will be statements falling under Section 162 CrPC.

21. In such a case the court has to examine the facts and circumstances giving rise to both the FIRs and the test of sameness is to be applied to find out whether both the FIRs relate to the same incident in respect of the same occurrence or are in regard to the incidents which are two or more parts of the same transaction. If the answer is in the affirmative, the second FIR is liable to be quashed. However, in case, the contrary is proved, where the version in the second FIR is different and they are in respect of the two different incidents/crimes, the second FIR is permissible. In case in respect of the same incident the accused in the first FIR comes

forward with a different version or counterclaim, investigation on both the FIRshas to be conducted

22. The instant case is required to be examined in the light of the aforesaid settled legal propositions.

23. If the two FIRs are read together, it becomes clear that the incident started in the morning as per both the FIRs CR No. I-154 of 2008, lodged by Mr M.N. Pandya, Sub-Inspector of Police, stated that he reached the place of occurrence after receiving the information from the police station and found that the mob had already dispersed. The case of the prosecution is that when the police reached the place of occurrence of the first incident, the mob had already dispersed, could not be correct for the reason that some of the witnesses have stated that the clash was going on when the police arrived and police resorted to force to disperse the mob. In fact, it was the police who summoned the ambulances which took the injured persons to hospitals.

24. In the first incident as per the said FIR the place of occurrence had been Village Dhedhal near the pond. In the pond, the damaged tractor, motorcycle and chhakda were found. Mr M.N. Pandya called the extra police force and went inside the village. He found 2000-4000 persons and

witnessed a free fight between them. The Koli Patels had surrounded some of the houses of the Bharwads. Some persons had been locked inside their houses and they had also put their houses on fire. The superior officers also came there. Police has used force to disperse the mob in the said incident and there were heavy casualties and there was loss of lives also. If we examine minutely the FIR in CR No. I-155 of 2008, the incident also occurred near the pond in Village Dhedhal. The damaged tractor, motorcycle and chhakda were there in the pond. One person AjitbhaiPrahladbhai was killed in the incident. Babubhai Popatbhai Koli Patel also got injured.

25. While comparing both the FIRs there is no doubt that both the incidents had occurred at the same place in close proximity of time, therefore, they are two parts of the same transaction. More so, the death of AjitbhaiPrahladbhai has been mentioned in both the FIRs. From the report for deletion of Section 302 IPC, it is apparent that it is not the case of the investigating officer that the death of AjitbhaiPrahladbhai had not occurred during the course of the incident in connection with which CR No. I-154 of 2008 came to be registered.

26. It is also evident that houses of the Bharwads were inside the village in contiguous areas and the offence had spread over the entire area as is evident from the panchnama of the scene of offence drawn in CR No. I-155 of 2008 as well as from the contents of the said FIR. Same situation regarding the place of occurrence appears from the panchnama of the scene of incident in CR No. I-154 of 2008. Panchnama of the scene of incident of CR No. I-154 of 2008 includes the scene of occurrence of CR No. I-155 of 2008 which makes it clear that both the FIRs pertain to the two crimes committed in the same transaction. The scene of offence panchnamas establish clearly that the incidents in both the cases could not be distinct and independent of each other. In fact, it is nobody's case that the incident relating to CR No. I-155 of 2008 occurred at DhedhalChokdi (crossroads).

27. In view of the above, we are of the considered opinion that the High Court reached the correct conclusion and the second FIR CR No. I-155 of 2008 was liable to be quashed."

101. In **Anju Chaudhary v. State of U.P.,** reported in **(2013) 6 SCC 384,** it was reiterated that a second

crime on the same incident is impermissible, the following para from the decision are apposite:

> *"14. On the plain construction of the language and scheme of Sections 154, 156 and 190 of the Code, it cannot be construed or suggested that there can be more than one FIR about an occurrence. However, the opening words of Section 154 suggest that every information relating to commission of a cognizable offence shall be reduced into writing by the officer-in-charge of a police station. This implies that there has to be the first information report about an incident which constitutes a cognizable offence. The purpose of registering an FIR is to set the machinery of criminal investigation into motion, which culminates with filing of the police report in terms of Section 173(2) of the Code. It will, thus, be appropriate to follow the settled principle that there cannot be two FIRs registered for the same offence. However, where the incident is separate; offences are similar or different, or even where the subsequent crime is of such magnitude that it does not fall within the ambit and scope of the FIR recorded first, then a second FIR could be registered. The most important aspect is to examine the inbuilt safeguards provided by the legislature in the very language of Section 154 of*

the Code. These safeguards can be safely deduced from the principle akin to double jeopardy, rule of fair investigation and further to prevent abuse of power by the investigating authority of the police. Therefore, second FIR for the same incident cannot be registered. Of course, the investigating agency has no determinative right. It is only a right to investigate in accordance with the provisions of the Code. The filing of report upon completion of investigation, either for cancellation or alleging commission of an offence, is a matter which once filed before the court of competent jurisdiction attains a kind of finality as far as police is concerned, may be in a given case, subject to the right of further investigation but wherever the investigation has been completed and a person is found to be prima facie guilty of committing an offence or otherwise, re-examination by the investigating agency on its own should not be permitted merely by registering another FIR with regard to the same offence. If such protection is not given to a suspect, then possibility of abuse of investigating powers by the police cannot be ruled out. It is with this intention in mind that such interpretation should be given to Section 154 of the Code, as it would not only further the object of law but even that of just and fair investigation. More

> *so, in the backdrop of the settled canons of criminal jurisprudence, reinvestigation or de novo investigation is beyond the competence of not only the investigating agency but even that of the learned Magistrate. The courts have taken this view primarily for the reason that it would be opposed to the scheme of the Code and more particularly Section 167(2) of the Code. (Ref. Reeta Nag v. State of W.B. [(2009) 9 SCC 129 : (2009) 3 SCC (Cri) 1051] and Vinay Tyagi v. Irshad Ali [(2013) 5 SCC 762] of the same date.)"*

102. While the de-facto complainants contend that each crime relates to a distinct act or complainant, the cumulative pattern - a succession of complaints carved out of one corporate dispute and a continuous course of events - bears the character of repetitive and successive proceedings against the same persons upon substantially the same transaction.

103. It is accordingly found that the registration of a series of crimes upon the same underlying transaction and the same corporate dispute, by the same informant and

persons acting at his instance, partakes of repetitive criminal proceedings, and is a circumstance that weighs in favour of the petitioners upon the question of abuse of process.

104. In Crime No.54/2015, which is the earliest among the complaints, the Investigating Officer submitted a C-Final report on 25.08.2015. The allegations therein pertained to the initial disputes between the parties relating to the management and affairs of the institution and included allegations of coercion, intimidation and theft of documents. A comparison of the subsequent complaints, particularly Crime No.97/2015 and the other connected crimes, discloses substantial overlap in the factual foundation on which the criminal proceedings have been instituted.

105. Though the filing of a closure report is not conclusive, it nevertheless constitutes a relevant circumstance. The fact that the earliest complaint was

closed by the investigating agency coupled with the substantial similarity of allegations forming the basis of the later complaints, lends support to the contention of the petitioners that the criminal proceedings emanate from the same underlying dispute concerning the control and management of the Company and the University. This circumstance assumes significance while examining the true nature of the controversy and the maintainability of multiple criminal proceedings arising out of substantially the same set of transactions. It reinforces the conclusion that the criminal proceedings are inseparably connected with the larger civil and company disputes pending between the parties and cannot be viewed in isolation from that background.

106. Admittedly, the 'C' Final Report was filed in Crime No.54/2015. Thereafter, the Deputy Superintendent of Police, Economic Offences Division (EOD), CID, Bengaluru, filed a requisition before the learned Magistrate seeking permission to conduct further investigation, which

came to be allowed. Having regard to the facts and circumstances of the case and the material placed on record, this Court is of the considered view that the initiation of further investigation by the DYSP, EOD, CID after the submission of the 'C' Final Report, and the order of the learned Magistrate permitting such investigation, cannot be sustained in law. It is settled law that the Magistrate can direct the officer in charge of the police station to investigate further, but ordinarily cannot command a specific different agency such as CID/CBI under Section 156(3) or Section 173(8) merely on his own accord. The Apex Court has held that a Magistrate cannot direct a particular officer or rank to conduct further investigation and can only require the competent investigating agency to proceed. In Crime No.54/2015 a ‘C’ Report was filed. On requisition filed by DYSP, EOD, CID seeking to conduct further investigation in the matter, the learned Magistrate has permitted to conduct further investigation by DYSP, EOD, CID, which is without

jurisdiction. Consequently, the registration and continuation of the proceedings in Crime No.54/2015 amount to an abuse of the process of law. The registration of FIR in Crime No.54/2015 and the learned magistrate permitting DYSP EOD CID, to conduct further investigation is therefore, liable to be quashed. However, this Court opines that the prayer seeking a direction to hold an enquiry by an appropriate authority into the action of the police in initiating the said investigation, may not be necessary.

107. Crime No.104/2015 was registered on the complaint of Sri. Krishnamohan Ramineni, in which a charge sheet was filed in C.C.No.955/2015 and cognizance was taken. As placed before this Court, the order quashing the proceedings in Crime No.104/2015 was not challenged to the Hon'ble Apex Court by the de-facto complainant. This matter, having been revived upon the setting aside of the earlier order, falls to be considered afresh on its merits along with the connected charge sheet matters.

108. Two further circumstances are of significance. First, Sri. Krishnamohan Ramineni - described as the only independent person among the three complainants, and the very person whose signature was said to have been forged filed an affidavit in O.S.No.1094/2016 in support of the petitioners, affirming the genuineness of the signatures and confirming the induction of the petitioners as Directors at the meetings of the Board.

109. The legal effect of these circumstances is considerable. The independent complainant, the very person whose signature was said to have been forged, has not supported the case of complainant, on the other hand affirmed the genuineness of the signatures. This materially undermines the very foundation of the allegation of forgery that runs as a common thread through the connected matters. It is found that, notwithstanding the filing of a charge sheet and the taking of cognizance, the proceedings in Crime No.104/2015 cannot be sustained

and are liable to be quashed along with the connected matters.

110. The crimes arising from the incident of 29.09.2016 were earlier quashed by the Co-ordinate Bench by order dated 01.06.2022, which proceeded upon the footing that injunctions of the Civil Court were then operating against the de-facto complainant in O.S.No.3006/2016 and O.S.No.2911/2016 restraining him from interfering with the administration of the University, and in O.S.No.25394/2016 against the police personnel of the Anekal Police Station and that the complaints had been lodged to circumvent those injunctions.

111. That order was set aside by the Hon'ble Apex Court with all issues left open, and it is therefore not treated as conclusive, nor is the reasoning of the Co-ordinate Bench adopted as binding. Nevertheless, the underlying circumstance upon which it rested - namely, that subsisting injunctions of the Civil Court restrained the

de-facto complainant and the police from interfering with the administration of, and entry into, the University - is a matter of record independent of that order and retains its contextual and evidentiary value upon the question whether the crimes of 29.09.2016 were registered as a counterblast in the course of the management dispute. To that limited extent, and no further, the circumstance is taken into account.

112. Crime No.262/2016 (the subject of W.P.No.53095/2016) was registered at the instance of a Police Constable and alleges an attack upon the police party, and Crime No.268/2016 (the subject of W.P.No.53234/2016) was registered on the complaint of a student; both arise from the single incident of 29.09.2016, in common with Crime Nos.261/2016, 264/2016 and 267/2016. These two crimes were not challenged before the Hon'ble Apex Court by the de-facto complainants. However, having been revived upon the setting aside of

the order dated 01.06.2022, fall to be considered afresh on their merits.

113. These two crimes, like the remainder of the cluster arising from the incident of 29.09.2016, came to be registered in the backdrop of the subsisting injunctions of the Civil Court restraining the de-facto complainant and the police from interfering with the administration of, and entry into, the University, as noticed form part of a set of complaints carved out of a single incident in the course of the management dispute, and bear the same character of a counterblast. For the reasons applicable to the campus crimes generally, it is found that Crime Nos.262/2016 and 268/2016 are equally untenable and are liable to be quashed along with Crime Nos.261/2016, 264/2016 and 267/2016.

114. This Court has carefully examined the complaints, the contemporaneous documents and the material placed on record. Insofar as the incidents alleged

to have occurred on 29.09.2016 are concerned, it is noticed that two separate complaints came to be lodged by the complainant-Madhukar Angur, on the very same day in respect of substantially the same incident, yet the time of occurrence is stated differently. While one complaint giving rise to Crime No.261/2016 alleges that the complainant was prevented from entering the University campus at about 2.30 p.m., the other, giving rise to Crime No.267/2016, states that the incident occurred at about 5.00 p.m. Both the complaints are dated 29.09.2016, however, the FIR in Crime No.267/2016 came to be registered on 03.10.2016. No satisfactory explanation for the delay or the material inconsistency in the narration of the occurrence is forthcoming from the record.

115. Similar inconsistencies are also noticed in relation to the complaints pertaining to the events of the year 2015. The legal notice issued by the complainant-Madhukar Angur, on 30.03.2015 states that the original

documents and share certificates were in his custody, which *prima facie* appears inconsistent with the allegations of theft of documents and the forgery made in the complaint dated 06.03.2015, registered in Crime No.54/2015.

116. It is also borne out from the record that through a communication dated 10.03.2016, the Group CFO, Alliance Business School, sought to withdraw the complaint lodged by him, by stating that no documents were missing and the said complaint was lodged at the behest of and on the direction given to him by Madhukar G. Angur. These contemporaneous circumstances assume significance while appreciating the subsequent criminal complaints founded on substantially similar allegations.

117. The cumulative effect raises serious doubt regarding the consistency of the prosecution version and lends support to the contention of the petitioners that successive criminal proceedings have been instituted on

substantially the same set of transactions arising out of the larger dispute relating to the control and management of the Company and the University. This is a relevant circumstance while examining whether the continuation of the criminal proceedings would amount to an abuse of the process of the Court.

118. The controversy, examined in its true character, is a contest for ownership, directorship, and the management and control of a Company and the University it sponsors. Every strand of it - the transfer of the shares, the resignations from and appointments to the Board, the resolutions of the Board, the filings before the Registrar of Companies, the operation of the bank accounts, and the administration of the University - is a strand of corporate and institutional control. The allegations of forgery, fabrication and fraudulent filing are not independent of that contest; they are the very means by which the disputed change of control is said to have been brought about, and their truth or falsity is inseparable from the

civil question of whether the transfers and the resignations were genuine and valid.

119. The learned Counsel for respondent No.2 placing reliance upon the decisions referred to by her, noted supra, has contended that criminal proceedings ought not to be interdicted at the threshold and that investigation must be permitted to run its course; Even if Civil cases are pending, it is not a bar to continue with the Criminal proceedings. Evidence cannot be appreciated at this stage, and the Court cannot conduct a mini trial, while exercising the power under section 482 Cr.P.C. There can be no quarrel with the broad legal propositions enunciated in the said judgments. However, a careful examination of the facts of the present case would demonstrate that the reliance placed on the aforesaid decisions is misconceived and misplaced. The judgments relied upon by respondent No.2 are fact specific and rendered in circumstances where clear criminal intent and overt criminal acts were discernible at the threshold. The same cannot be pressed

into service to justify continuation of criminal proceedings in a case which, at its core, involves a ownership, shareholding, directorship and management of the Company and the consequential control over it, dressed up as a criminal offence.

120. Consequently, this Court is of the considered view that the Judgments relied upon by respondent No.2 do not advance the case of the prosecution and are clearly distinguishable on facts and in law, and hence, cannot be made the basis to deny relief to the petitioners.

121. The law upon the distinction between a civil dispute and a criminal offence is settled. In **G. Sagar Suri v. State of U.P., (2000) 2 SCC 636**, wherein it is held that:

> *"8. Jurisdiction under Section 482 of the Code has to be exercised with great care. In exercise of its jurisdiction the High Court is not to examine the matter superficially. It is to be seen if a matter, which is essentially of a civil nature, has been given a cloak of criminal offence. Criminal proceedings*

are not a short cut of other remedies available in law. Before issuing process a criminal court has to exercise a great deal of caution. For the accused it is a serious matter. This Court has laid certain principles on the basis of which the High Court is to exercise its jurisdiction under Section 482 of the Code. Jurisdiction under this section has to be exercised to prevent abuse of the process of any court or otherwise to secure the ends of justice.

9. In State of Karnataka v. L. Muniswamy [(1977) 2 SCC 699 : 1977 SCC (Cri) 404 : AIR 1977 SC 1489 : (1977) 3 SCR 113] this Court said that in the exercise of the wholesome power under Section 482 of the Code the High Court is entitled to quash a proceeding if it comes to the conclusion that allowing the proceeding to continue would be an abuse of the process of the court or that the ends of justice require that the proceedings are to be quashed.

10. In Kurukshetra University v. State of Haryana [(1977) 4 SCC 451 : 1977 SCC (Cri) 613 : AIR 1977 SC 2229] the High Court in exercise of its powers under Section 482 of the Code quashed the first information report when the police had not even commenced investigation into the complaint. This Court said that inherent powers do not confer

an arbitrary jurisdiction on the High Court to act according to whim or caprice and that statutory power has to be exercised sparingly, with circumspection and in the rarest of rare cases. In the case, the first information report was lodged by the Warden, Kurukshetra University. Acting on that report the police registered a case under Sections 448 and 452 IPC against one Vinay Kumar, who filed a petition in the High Court praying that FIR be quashed. The High Court without issuing notice to the University quashed the FIR. Not only that, the High Court directed the State of Haryana to pay a sum of Rs 300 by way of cost to Vinay Kumar. The High Court even made observations concerning the University's power to enforce discipline in the campus. This Court observed that the High Court seemed to feel that outsiders can with impunity flout the university rule that no outsider shall stay in a university hostel. It said that such a view is plainly calculated to subvert discipline in a sphere where it is most needed. This Court said that the High Court ought not to have made these observations without, at least, giving a hearing to the University. This Court set aside the judgment of the High Court and allowed the investigation to proceed.

11. In Chandrapal Singh v. Maharaj Singh [(1982) 1 SCC 466 : 1982 SCC (Cri) 249 : AIR 1982 SC 1238] the judgment started as under: (SCC p. 467, para 1)

> *"A frustrated landlord after having met his Waterloo in the hierarchy of civil courts, has further enmeshed the tenant in a frivolous criminal prosecution which prima facie appears to be an abuse of the process of law. The facts when stated are so telling that the further discussion may appear to be superfluous."*
>
> *This Court said: (SCC p. 474, para 14)*
>
> *"We see some force in the submission but it is equally true that chagrined and frustrated litigants should not be permitted to give vent to their frustration by cheaply invoking jurisdiction of the criminal court. Complainant herein is an advocate. He lost in both courts in the rent control proceedings and has now rushed to the criminal court. This itself speaks volumes. Add to this the fact that another suit between the parties was*

> *pending from 1975. The conclusion is inescapable that invoking the jurisdiction of the criminal court in this background is an abuse of the process of law and the High Court rather glossed over this important fact while declining to exercise its power under Section 482 CrPC."*

122. **Indian Oil Corporation v. NEPC India Ltd., (2006) 6 SCC 736,** it was held that criminal law cannot be used as a tool to settle scores in commercial or contractual matters, and that such misuse amounts to abuse of process. The following paragraphs from the decision are apposite:

> *"12. The principles relating to exercise of jurisdiction under Section 482 of the Code of Criminal Procedure to quash complaints and criminal proceedings have been stated and reiterated by this Court in several decisions. To mention a few—Madhavrao Jiwajirao Scindia v. SambhajiraoChandrojiraoAngre [(1988) 1 SCC 692 : 1988 SCC (Cri) 234] , State of Haryana v. Bhajan Lal [1992 Supp (1) SCC 335 :*

1992 SCC (Cri) 426] , Rupan Deol Bajaj v. Kanwar Pal Singh Gill [(1995) 6 SCC 194 : 1995 SCC (Cri) 1059] , Central Bureau of Investigation v. Duncans Agro Industries Ltd. [(1996) 5 SCC 591 : 1996 SCC (Cri) 1045] , State of Bihar v. Rajendra Agrawalla [(1996) 8 SCC 164 : 1996 SCC (Cri) 628] , Rajesh Bajaj v. State NCT of Delhi [(1999) 3 SCC 259 : 1999 SCC (Cri) 401] , Medchl Chemicals & Pharma (P) Ltd. v. Biological E. Ltd. [(2000) 3 SCC 269 : 2000 SCC (Cri) 615] , Hridaya Ranjan Prasad Verma v. State of Bihar [(2000) 4 SCC 168 : 2000 SCC (Cri) 786] , M. Krishnan v. Vijay Singh [(2001) 8 SCC 645 : 2002 SCC (Cri) 19] and Zandu Pharmaceutical Works Ltd. v. Mohd. SharafulHaque [(2005) 1 SCC 122 : 2005 SCC (Cri) 283] . The principles, relevant to our purpose are:

> *(i) A complaint can be quashed where the allegations made in the complaint, even if they are taken at their face value and accepted in their entirety, do not prima facie constitute any offence or make out the case alleged against the accused.*
>
> *For this purpose, the complaint has to be examined as a whole, but without examining the merits of the allegations.*

Neither a detailed inquiry nor a meticulous analysis of the material nor an assessment of the reliability or genuineness of the allegations in the complaint, is warranted while examining prayer for quashing of a complaint.

(ii) A complaint may also be quashed where it is a clear abuse of the process of the court, as when the criminal proceeding is found to have been initiated with mala fides/malice for wreaking vengeance or to cause harm, or where the allegations are absurd and inherently improbable.

(iii) The power to quash shall not, however, be used to stifle or scuttle a legitimate prosecution. The power should be used sparingly and with abundant caution.

(iv) The complaint is not required to verbatim reproduce the legal ingredients of the offence alleged. If the necessary factual foundation is laid in the complaint, merely on the ground that a few ingredients have not been

stated in detail, the proceedings should not be quashed. Quashing of the complaint is warranted only where the complaint is so bereft of even the basic facts which are absolutely necessary for making out the offence.

(v) A given set of facts may make out: (a) purely a civil wrong; or (b) purely a criminal offence; or (c) a civil wrong as also a criminal offence. A commercial transaction or a contractual dispute, apart from furnishing a cause of action for seeking remedy in civil law, may also involve a criminal offence. As the nature and scope of a civil proceeding are different from a criminal proceeding, the mere fact that the complaint relates to a commercial transaction or breach of contract, for which a civil remedy is available or has been availed, is not by itself a ground to quash the criminal proceedings. The test is whether the allegations in the complaint disclose a criminal offence or not.

13. While on this issue, it is necessary to take notice of a growing tendency in business circles to convert purely civil disputes into criminal cases. This is obviously on account of a prevalent impression that civil law remedies are time consuming and do not adequately protect the interests of lenders/creditors. Such a tendency is seen in several family disputes also, leading to irretrievable breakdown of marriages/families. There is also an impression that if a person could somehow be entangled in a criminal prosecution, there is a likelihood of imminent settlement. Any effort to settle civil disputes and claims, which do not involve any criminal offence, by applying pressure through criminal prosecution should be deprecated and discouraged. In G. Sagar Suri v. State of U.P. [(2000) 2 SCC 636 : 2000 SCC (Cri) 513] this Court observed: (SCC p. 643, para 8)

> *"It is to be seen if a matter, which is essentially of a civil nature, has been given a cloak of criminal offence. Criminal proceedings are not a short cut of other remedies available in law. Before issuing process a criminal court has to exercise a great deal of caution. For the accused it is a serious matter.*

> *This Court has laid certain principles on the basis of which the High Court is to exercise its jurisdiction under Section 482 of the Code. Jurisdiction under this section has to be exercised to prevent abuse of the process of any court or otherwise to secure the ends of justice."*

123. In **Vesa Holdings (P) Ltd. v. State of Kerala, (2015) 8 SCC 293,** and in **Thermax Ltd. v. K.M. Johny, (2011) 13 SCC 412,** the Court quashed proceedings where a commercial or civil dispute had been clothed in the language of cheating and criminal breach of trust in the absence of the dishonest intention required at the inception.

124. The decisions upon the offence of forgery, in the context of disputed civil transactions, in **Mohammed Ibrahim v. State of Bihar, (2009) 8 SCC 751,** it was held that a person who executes a document conveying property to which his title is disputed does not, by that act, commit forgery, since forgery requires the making of

a false document by one who dishonestly or fraudulently signs it as, or on behalf of, another, or otherwise makes it appear to have been made by a person by whom it was not made; the execution of a document in assertion of a claim, even a disputed claim, is not the making of a false document. The relevant para is extracted hereunder:

> *"8. This Court has time and again drawn attention to the growing tendency of the complainants attempting to give the cloak of a criminal offence to matters which are essentially and purely civil in nature, obviously either to apply pressure on the accused, or out of enmity towards the accused, or to subject the accused to harassment. Criminal courts should ensure that proceedings before it are not used for settling scores or to pressurise parties to settle civil disputes. But at the same time, it should be noted that several disputes of a civil nature may also contain the ingredients of criminal offences and if so, will have to be tried as criminal offences, even if they also amount to civil disputes. (See G. Sagar Suri v. State of U.P. [(2000) 2 SCC 636 : 2000 SCC (Cri) 513] and Indian Oil Corpn. v. NEPC India Ltd. [(2006) 6 SCC 736 : (2006) 3 SCC (Cri) 188])……."*

125. Applying these principles, the documents said to have been forged - the transfer forms, the resignation letters, the resolutions and the statutory forms - were executed and filed in the course of, and as part of, the contest for control of the Company; whether they were genuinely executed and validly made is precisely the civil and company question pending before the competent forum. Such execution and filing, in the setting of a disputed claim to directorship and shareholding, does not, without more, constitute forgery in the criminal sense as explained in **Mohammed Ibrahim (SUPRA)**. The criminal allegations are thus inseparable from the corporate dispute, and the material does not disclose an independent criminal offence surviving that dispute.

126. It is accordingly found that the present proceedings bear the character of a civil and company dispute to which a criminal colour has been given, and that the criminal complaints appear to have been set in motion

as a measure of pressure in a long-standing corporate contest in which the de-facto complainant has not succeeded before the Civil Court.

i) The Hon'ble Apex Court in ***Vijay Kumar Ghai v. State of W.B.,*** reported in ***(2022) 7 SCC 124*** has observed that-

> *"22. In Indian Oil Corpn. v. NEPC India Ltd. [Indian Oil Corpn. v. NEPC India Ltd., (2006) 6 SCC 736 : (2006) 3 SCC (Cri) 188] , a two-Judge Bench of this Court reviewed the precedents on the exercise of jurisdiction under Section 482 of the Criminal Procedure Code, 1973 and formulated guiding principles in the following terms : (SCC p. 748, para 12)*
>
> > *"12. … (i) A complaint can be quashed where the allegations made in the complaint, even if they are taken at their face value and accepted in their entirety, do not prima facie constitute any offence or make out the case alleged against the accused.*
> >
> > *For this purpose, the complaint has to be examined as a whole, but without*

examining the merits of the allegations. Neither a detailed inquiry nor a meticulous analysis of the material nor an assessment of the reliability or genuineness of the allegations in the complaint, is warranted while examining prayer for quashing of a complaint.

(ii) A complaint may also be quashed where it is a clear abuse of the process of the court, as when the criminal proceeding is found to have been initiated with mala fides/malice for wreaking vengeance or to cause harm, or where the allegations are absurd and inherently improbable.

(iii) The power to quash shall not, however, be used to stifle or scuttle a legitimate prosecution. The power should be used sparingly and with abundant caution.

(iv) The complaint is not required to verbatim reproduce the legal ingredients of the offence alleged. If the necessary factual foundation is laid in the complaint, merely on the ground

> *that a few ingredients have not been stated in detail, the proceedings should not be quashed. Quashing of the complaint is warranted only where the complaint is so bereft of even the basic facts which are absolutely necessary for making out the offence.*
>
> *(v)***"*

23. A two-Judge Bench of this Court in State of M.P. v. Awadh Kishore Gupta [State of M.P. v. Awadh Kishore Gupta, (2004) 1 SCC 691: 2004 SCC (Cri) 353] made the following observation : (SCC p. 700, para 11)

> *"11. … the powers possessed by the High Court under Section 482 of the Code are very wide and the very plenitude of the power requires great caution in its exercise. Court must be careful to see that its decision in exercise of this power is based on sound principles. The inherent power should not be exercised to stifle a legitimate prosecution. The High Court being the highest Court of a State should normally refrain from giving a prima facie decision in a case where the*

> *entire facts are incomplete and hazy, more so, when the evidence has not been collected and produced before the Court and the issues involved, whether factual or legal, are of magnitude and cannot be seen in their true perspective without sufficient material. Of course, no hard-and-fast rule can be laid down in regard to cases in which the High Court will exercise its extraordinary jurisdiction of quashing the proceeding at any stage. … In proceedings instituted on complaint, exercise of the inherent powers to quash the proceedings is called for only in a case where the complaint does not disclose any offence or is frivolous, vexatious or oppressive. If the allegations set out in the complaint do not constitute the offence of which cognizance has been taken by the Magistrate, it is open to the High Court to quash the same in exercise of the inherent powers under Section 482 of the Code."*

24. This Court in G. Sagar Suri v. State of U.P. [G. Sagar Suri v. State of U.P., (2000) 2 SCC 636 : 2000 SCC (Cri) 513] observed that it is the duty

and obligation of the criminal court to exercise a great deal of caution in issuing the process, particularly when matters are essentially of civil nature.

25. This Court has time and again cautioned about converting purely civil disputes into criminal cases. This Court in Indian Oil Corpn. [Indian Oil Corpn. v. NEPC India Ltd., (2006) 6 SCC 736 : (2006) 3 SCC (Cri) 188] noticed the prevalent impression that civil law remedies are time consuming and do not adequately protect the interests of lenders/creditors. The Court further observed that: (Indian Oil Corpn. case [Indian Oil Corpn. v. NEPC India Ltd., (2006) 6 SCC 736 : (2006) 3 SCC (Cri) 188] , SCC p. 749, para 13)

> *"13. … Any effort to settle civil disputes and claims, which do not involve any criminal offence, by applying pressure through criminal prosecution should be deprecated and discouraged."*

ii) ***In BhikhubhaiGovindbhai Patel and Another v. State of Gujarat and Another.,*** reported in ***2026 SCC Online SC 915,*** wherein it is held that-

"42. Recently, this Court, in Mohd. Wajid v. State of U.P. (2023) 20 SCC 219 , held that where delay is coupled with circumstances creating serious doubt about the genuineness of the prosecution, the proceedings may warrant quashing. The relevant paragraphs read as under:

> *"36. At this stage, we would like to observe something important. Whenever an accused comes before the Court invoking either the inherent powers under Section 482 of the Code of Criminal Procedure (CrPC) or extraordinary jurisdiction under Article 226 of the Constitution to get the FIR or the criminal proceedings quashed essentially on the ground that such proceedings are manifestly frivolous or vexatious or instituted with the ulterior motive for wreaking vengeance, then in such circumstances the Court owes a duty to look into the FIR with care and a little more closely.*
>
> *37. We say so because once the complainant decides to proceed against the accused with an ulterior motive for wreaking personal vengeance, etc. then*

he would ensure that the FIR/complaint is very well drafted with all the necessary pleadings. The complainant would ensure that the averments made in the FIR/complaint are such that they disclose the necessary ingredients to constitute the alleged offence. Therefore, it will not be just enough for the Court to look into the averments made in the FIR/complaint alone for the purpose of ascertaining whether the necessary ingredients to constitute the alleged offence are disclosed or not.

38. In frivolous or vexatious proceedings, the Court owes a duty to look into many other attending circumstances emerging from the record of the case over and above the averments and, if need be, with due care and circumspection try to read in between the lines. The Court while exercising its jurisdiction under Section 482CrPC or Article 226 of the Constitution need not restrict itself only to the stage of a case but is empowered to take into account the overall circumstances leading to the

> *initiation/registration of the case as well as the materials collected in the course of investigation. Take for instance the case on hand. Multiple FIRs have been registered over a period of time. It is in the background of such circumstances the registration of multiple FIRs assumes importance, thereby attracting the issue of wreaking vengeance out of private or personal grudge as alleged."*

43. We shall now examine whether the allegations contained in the impugned FIR, even if taken at face value, disclose the ingredients of the alleged offences.

44. Insofar as offences under Sections 465, 467, 468 and 471 of the IPC are concerned, the principal allegation relates to the execution of the Power of Attorney dated 01.11.2001 by accused Nos. 1 to 5 in favour of accused No. 6. The High Court proceeded on the premise that since accused Nos. 1 to 5 lacked title over the property, execution of the Power of Attorney and institution of civil proceedings amounted to forgery. In our opinion, the approach of the High Court is legally unsustainable. The essential ingredient of forgery under Section 463 of the IPC is the making of a

"false document" within the meaning of Section 464 of the IPC. It is not the case of respondent No. 2 that the signatures appearing on the Power of Attorney were forged or fabricated and it is not alleged that the executants were impersonated or that the document was fabricated by someone pretending to be another person. On the contrary, the execution of the document by accused Nos. 1 to 5 is admitted. The consistent case of the appellants has been that they possessed a subsisting claim and share in the ancestral property pursuant to the ULC Act proceedings and related revenue entries. Whether such a claim is ultimately sustainable in law or not is a matter for adjudication before the competent civil court. Therefore, the High Court erred in equating a disputed claim of title with the making of a false document.

45. The law on this issue is settled by this Court in Mohd. Ibrahim v. State of Bihar (supra), wherein it was held that when a person executes a document claiming property as his own, there is no making of a false document merely because the claim is ultimately found to be incorrect. The relevant paragraph reads as under:

> *"17. When a document is executed by a person claiming a property which is not his, he is not claiming that he is someone else nor is he claiming that he is authorised by someone else. Therefore, execution of such document (purporting to convey some property of which he is not the owner) is not execution of a false document as defined under Section 464 of the Code. If what is executed is not a false document, there is no forgery. If there is no forgery, then neither Section 467 nor Section 471 of the Code are attracted."*

*46. *****

*47. ****

*48. ****

50. It is pertinent to note that the High Court has placed reliance upon the criminal antecedents of accused No. 6 while declining to exercise jurisdiction under Section 482 of the CrPC. The law on the issue was settled recently by this Court in Mohd. Wajid v. State of U.P. (supra), wherein it has been held that criminal antecedents cannot

constitute the sole or even the primary basis to decline quashing of criminal proceedings. The High Court in the impugned judgment, though observing that antecedents were not the "sole criterion", has made general observations regarding "modus operandi" and "proclivity" of accused No. 6, the pendency of earlier complaints and the circumstance that certain proceedings had previously been quashed on the basis of settlements. In our considered view, it is for the Court to see whether the essential ingredients of the alleged offences in the impugned FIR are made out or not. As observed hereinabove, we have discussed in detail with respect to the delay in filing the impugned FIR, absence of ingredients of the alleged offences, the dispute is purely civil in nature and therefore, in such circumstances, antecendents of accused No. 6, cannot be a ground for dismissal of the present appeals.

51. We are also unable to agree with the findings recorded by the High Court regarding ownership and title over the suit property, which are all matters squarely falling within the jurisdiction of the competent civil court. While exercising jurisdiction under Section 482 of the CrPC, the Court is not expected to conduct a mini trial or

adjudicate disputed questions of title and ownership."

127. Similarly, in **Inder Mohan Goswami and another v. State of Uttaranchal and others** reported in **(2007) 12 SCC 1**, it was emphasized that criminal prosecution must not be permitted as an instrument of harassment or private vendetta. In **Ganga Dhar Kalita v. State of Assam and others** reported in **(2015) 9 SCC 647,** the Hon'ble Apex Court reiterated that criminal complaints in respect of property disputes of civil nature, filed solely to harass the accused or to exert pressure in civil litigation, constitute an abuse of process.

128. The Hon'ble Apex Court laid down the well-settled parameters governing the exercise of inherent powers under Section 482 Cr.P.C. in ***State of Haryana v. Bhajan Lal*** reported in ***1992 Supp (1) SCC 335,*** wherein it is categorically held that:

"102. In the backdrop of the interpretation of the various relevant provisions of the Code under

Chapter XIV and of the principles of law enunciated by this Court in a series of decisions relating to the exercise of the extraordinary power under Article 226 or the inherent powers under Section 482 of the Code which we have extracted and reproduced above, we have given the following categories of cases by way of illustration wherein such power could be exercised either to prevent abuse of the process of any court or otherwise to secure the ends of justice, though it may not be possible to lay down any precise, clearly defined and sufficiently channelised and inflexible guidelines or rigid formulae and to give an exhaustive list of myriad kinds of cases wherein such power should be exercised.

(1) Where the allegations made in the first information report or the complaint, even if they are taken at their face value and accepted in their entirety do not prima facie constitute any offence or make out a case against the accused.

(2) Where the allegations in the first information report and other materials, if any, accompanying the FIR do not disclose a cognizable offence, justifying an investigation by police officers under Section 156(1) of the Code except under an order

of a Magistrate within the purview of Section 155(2) of the Code.

(3) Where the uncontroverted allegations made in the FIR or complaint and the evidence collected in support of the same do not disclose the commission of any offence and make out a case against the accused.

(4) Where, the allegations in the FIR do not constitute a cognizable offence but constitute only a non-cognizable offence, no investigation is permitted by a police officer without an order of a Magistrate as contemplated under Section 155(2) of the Code.

(5) Where the allegations made in the FIR or complaint are so absurd and inherently improbable on the basis of which no prudent person can ever reach a just conclusion that there is sufficient ground for proceeding against the accused.

(6) Where there is an express legal bar engrafted in any of the provisions of the Code or the concerned Act (under which a criminal proceeding is instituted) to the institution and continuance of the proceedings and/or where there is a specific provision in the Code or the concerned Act,

providing efficacious redress for the grievance of the aggrieved party.

(7) Where a criminal proceeding is manifestly attended with mala fide and/or where the proceeding is maliciously instituted with an ulterior motive for wreaking vengeance on the accused and with a view to spite him due to private and personal grudge."

129. The categories illustrated in paragraph 102 of **State of Haryana v. Bhajan Lal (Supra)**, in which the power to quash may be exercised, include where the allegations in the complaint, taken at their face value, do not prima facie constitute any offence or make out a case against the accused; where the allegations are so absurd and inherently improbable that no prudent person could ever reach a just conclusion that there is sufficient ground to proceed; and where the proceeding is manifestly attended with mala fides, or is maliciously instituted with an ulterior motive for wreaking vengeance and to spite the accused on account of a private grudge.

130. A careful consideration of the complaints, the charge sheets, the material collected during investigation and the undisputed background in which the disputes arose discloses that the allegations stem from an intense dispute relating to the ownership, shareholding, directorship and management of the Company and the consequential control over Alliance University. The execution and filing of the impugned corporate documents form part of the rival claims asserted by the parties in respect of the management of the Company. Whether such documents were voluntarily executed or otherwise is itself the principal issue in dispute before the civil and company law fora. In the present case, the allegations of forgery and fabrication are inseparably connected with the underlying corporate dispute and cannot be viewed in isolation.

131. The respondents have placed considerable reliance upon the handwriting expert's opinion to contend that the signatures appearing on the impugned documents

are forged. The report relied upon is one of the circumstances collected during investigation. At the same time, the petitioners dispute its correctness and rely upon contemporaneous documents and subsequent conduct of the parties to contend that the transactions were voluntary. This Court is not required, while exercising jurisdiction under Section 482 Cr.P.C., to adjudicate upon the correctness of the expert opinion. The forgery allegation rests, on the prosecution side, upon the opinion of a private examiner obtained in preference to the Government Forensic Science Laboratory and rendered upon photocopies, contradicted by the affidavit of the independent complainant. Such material cannot constitute a credible foundation for the offence of forgery and does not warrant the continuance of the proceedings. Nevertheless, having regard to the nature of the dispute and the surrounding circumstances, the said report, by itself, cannot constitute an independent basis to convert

what is essentially a corporate and civil dispute into a criminal prosecution.

132. Much reliance has also been placed upon the proceedings before the Registrar of Companies. The orders of the Registrar disclose that certain statutory filings were marked as defective. However, the Registrar did not adjudicate upon the allegations of fraud or forgery and expressly left those questions to be decided by the competent forum. Consequently, the administrative action taken by the Registrar cannot, by itself, be treated as establishing the commission of the criminal offences alleged.

133. The circumstances placed on record further disclose that the parties have been engaged in multiple civil suits, company proceedings and regulatory proceedings concerning substantially the same transactions. The earliest complaint in Crime No.54/2015 culminated in submission of a 'C' Report. Thereafter,

successive complaints came to be lodged in relation to substantially overlapping transactions. The cumulative effect of these circumstances lends considerable support to the contention that the criminal proceedings have arisen out of the larger dispute relating to the control and management of the Company and the University.

134. The Hon'ble Apex Court, while remitting the matters by order dated 30.01.2025, in the first batch of petitions, set aside the earlier order of this Court insofar as they proceeded on the availability of remedies under the Companies Act and the provisions of the Alliance University Act. Further, while remitting the matters by order dated 06.08.2025, in the second batch of petitions, set aside the impugned order to enable the parties to put forth their contentions before the same bench of the High Court for fresh consideration. All other issues were left open. Therefore, the remand does not preclude this Court from independently examining whether, on the material placed before it, the continuation of the criminal

proceedings would amount to an abuse of the process of law. Upon such examination, this Court is satisfied that the dispute is predominantly civil and corporate in character and that the allegations relied upon for criminal prosecution are inseparably connected with the underlying corporate contest.

135. The conduct of the parties during the parallel civil and company proceedings, the multiplicity of criminal cases arising out of substantially the same dispute, the closure of the earliest complaint by the investigating agency, the limited progress of the criminal cases, the unchallenged orders in certain connected petitions, and the contemporaneous orders passed by the competent Civil Courts constitute circumstances which cannot be ignored while exercising jurisdiction under Section 482 Cr.P.C. Considered cumulatively, they reinforce the conclusion that permitting the criminal proceedings to continue would amount to permitting the criminal process to be employed as an instrument in a dispute which is

essentially civil and corporate in nature. Such continuation would not advance the administration of criminal justice but would amount to an abuse of the process of the Court.

136. The de-facto complainant withdrew his civil suit unconditionally, was restrained by successive injunctions affirmed up to the Hon'ble Apex Court, was terminated as Chancellor with that termination upheld, and was found by the One-Man Commission to have caused financial loss to the University; the petitioners have, by contrast, had the benefit of the interim civil orders throughout. This conduct confirms the civil and corporate character of the contest.

137. Taking the matters as a whole, it is found that the criminal law has been invoked to secure an advantage in the corporate dispute and to pressurize the petitioners, rather than to vindicate any genuine and independent criminal grievance. The continuance of the prosecutions would serve no legitimate purpose of the criminal law; and, it is an abuse of process of law having regard to the

affirmation of genuineness by the independent complainant and predominantly civil character of the transactions.

138. For the cumulative reasons recorded above, it is held that the continuance of the impugned proceedings would amount to an abuse of the process of the Court, and that the ends of justice require this Court to intervene in exercise of its inherent jurisdiction. This Court concludes that the disputes between the parties are, in their essential character, civil and company-law disputes concerning the shareholding, the directorship, and the management and control of M/s. Alliance Business School and Alliance University and that the criminal allegations of forgery, fabrication, cheating, misuse of the digital signature and fraudulent statutory filings are inseparable from that corporate contest and do not survive independently and that the execution and filing of the disputed documents in the course of that contest does not, in law, constitute the offences alleged.

139. This Court further concludes that the present matters fall within the categories recognized in ***State of Haryana v. Bhajan Lal (SUPRA),*** and, to the extent indicated and that the continuance of the impugned proceedings would amount to an abuse of the process of the Court; and that the inherent jurisdiction of this Court is required to be exercised in order to secure the ends of justice.

140. It was contended by the learned counsel for the petitioners that the charge sheets are without the authority of law, having been filed by the Inspector of Police attached to the DCIB, which, according to the petitioners, is not a notified police station. It was submitted that under Section 173(2) of Cr.P.C., only the officer in charge of a police station is competent to submit a final report and, therefore, the charge sheets filed by the Inspector attached to the DCIB are without jurisdiction. However, this Court has taken on the principal issues arising in these petitions, namely, that the criminal

proceedings themselves constitute an abuse of the process of law and are liable to be quashed on other grounds, it is unnecessary to examine or record any finding on the aforesaid contention regarding the competence of the DCIB officer to conduct the investigation or submit the final report. Accordingly, the said contention is left open.

141. The present case, viewed in its peculiar facts and circumstances, constitutes all the characteristics of a civil property dispute, which is sought to be converted into criminal proceedings, after initiation of civil litigation. This Court is of the opinion that the criminal process cannot be permitted to become a weapon of harassment and coercion. The present case falls squarely within the well-settled categories warranting interference under Section 482 of Cr.P.C. as delineated in **State of Haryana v. Bhajan Lal (Supra)**, namely, where the dispute is predominantly civil in nature, where the allegations fail to disclose the essential ingredients of the alleged offences, where the criminal proceedings are

manifestly attended with *mala fide* intention or maliciously instituted with an ulterior motive for wreaking vengeance due to private or personal grudge, are liable to be quashed.

142. In view of the foregoing discussion, this Court is of the considered opinion that the impugned FIRs and the consequential criminal proceedings are liable to be quashed in exercise of the inherent jurisdiction of this Court. Accordingly, the petitions deserve to be allowed.

ORDER

In the result, and for the reasons recorded above, the following order is passed:

(i) All the writ petitions are **allowed**.

(ii) The First Information Reports in Crime No.97/2015, Crime No.104/2015 and Crime No.105/2015 of the Anekal Police Station, and the proceedings pending

in C.C.No.701/2015, C.C.No.955/2015 and C.C.No.956/2015, on the file of the learned Principal Civil Judge and JMFC, Anekal, are **quashed**.

(iii) The First Information Reports in Crime No.76/2016, Crime No.108/2016, Crime No.115/2016, Crime No.261/2016, Crime No.262/2016, Crime No.264/2016, Crime No.267/2016, Crime No.268/2016 and Crime No.54/2015 of the Anekal Police Station, and all proceedings consequent thereupon, stand **quashed**.

(iv) Pending IAs. stand disposed of.

Sd/-
(MOHAMMAD NAWAZ)
JUDGE

LDC
List No.: 1 Sl No.: 1