



CNR: KAHC010408442024

NC: 2026:KHC:51208
CRL.P No. 9186 of 2024
C/W CRL.P No. 2294 of 2024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 18TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE RAJESH RAI K

CRIMINAL PETITION NO. 9186 OF 2024

C/W

CRIMINAL PETITION NO. 2294 OF 2024

IN CRL.P.NO.9186 OF 2024

BETWEEN:

1. SHRI. GAJENDRA BABU
S/O RAJANNA
AGED ABOUT 40 YEARS
R/AT KADIGANAHALLI VILLAGE,
BETTAHALASURU POST,
JALA HOBLI
BENGALURU NORTH-562 157
2. SHRI AKASH
S/O MUNINDRA
AGED ABOUT 28 YEARS
R/AT KADIGANAHALLI VILLAGE,
BETTAHALASURU POST,
JALA HOBLI
BENGALURU NORTH-562 157
3. SHRI MUNINDRA
S/O LATE APPAYYA
AGED ABOUT 52 YEARS
R/AT KADIGANAHALLI VILLAGE,
BETTAHALASURU POST,
JALA HOBLI
BENGALURU NORTH-562 157
4. SMT VIJAYALAKSHMI
W/O MUNINDRA

Digitally signed
by PANKAJA S
Location: HIGH
COURT OF
KARNATAKA



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AGED ABOUT 46 YEARS
R/AT KADIGANAHALLI VILLAGE,
BETTAHALASURU POST,
JALA HOBLI
BENGALURU NORTH-562 157

5. SHRI HARSHAVARDHAN
S/O LATE SUBRAMANI
AGED ABOUT 49 YEARS
R/AT KADIGANAHALLI VILLAGE,
BETTAHALASURU POST,
JALA HOBLI
BENGALURU NORTH-562 157
6. SMT LAKSHMAMMA @ VENKATALAKSHMAMMA
W/O LATE SUBRAMANI
AGED ABOUT 60 YEARS
R/AT KADIGANAHALLI VILLAGE,
BETTAHALASURU POST,
JALA HOBLI
BENGALURU NORTH-562 157
7. SHRI VIJAYKUMAR
S/O NARAYANAPPA
AGED ABOUT 42 YEARS
R/AT KADIGANAHALLI VILLAGE,
BETTAHALASURU POST,
JALA HOBLI
BENGALURU NORTH-562 157
8. SHRI RAJANNA
S/O LATE KEMPANNA
AGED ABOUT 78 YEARS
R/AT KADIGANAHALLI VILLAGE,
BETTAHALASURU POST,
JALA HOBLI
BENGALURU NORTH-562 157

...PETITIONERS

(BY SRI. MUNIRAJA M, ADVOCATE)



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AND:

1. THE STATE OF KARNATAKA
BY STATION HOUSE OFFICER,
CHIKKAJALA POLICE STATION,
DEVANAHALLI SUB-DIVISION,
BENGALURU CITY
REP BY SPP HIGH COURT
BUILDING, BENGALURU 560 001
2. SHRI VEMA REDDY
S/O VENKATARAMANA REDDY
AGED ABOUT 42 YEARS
R/AT NO 63, POCKET 05
ARMY LAYOUT,
BILAMARANAHALLI,
JALA HOBLI,
BENGALURU CITY 562157

...RESPONDENTS

(BY SRI. MAHESHA P, HCGP FOR R1,
SRI. S. RAJASHEKAR, ADVOCATE FOR R2)

THIS CRL.P IS FILED U/S 482 CR.PC (FILED U/S 528 BNSS) PRAYING TO QUASH THE COMPLAINT, REGISTRATION OF FIR IN CRIME NO.15/2024 AND THE CHARGE SHEET DATED 14.02.2024 FILED BY THE 1ST RESPONDENT IN CC NO.1567/2024, PENDING BEFORE THE HONBLE ADDL. CIVIL JUDGE AND JMFC, DEVANAHALLI AGAINST THE PETITIONERS HEREIN FOR THE OFFENCES P/U/S 143, 147, 341, 323, 324, 506 R/W 149 OF THE IPC, AS PER ANNEXURE-A, B & C.

IN CRL.P.NO.2294 OF 2024

BETWEEN:

1. SRI. VEMA REDDY GUNDLA
S/O G. VENKATARAMANA REDDY
AGED ABOUT 43 YEARS
R/AT NO.4-112, CHELURUVANDLAPALLI
BOORLAPALLI, PEDDATHIPPASAMUDRAM



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BOORLAPALLE, CHITTOOR
ANDHRA PRADESH-57 370
(NAME AND ADDRESS MENTIONED
AS PER AADHAAR CARD)

2. SMT G. SANGEETHA
W/O G. VEMAREDDY
AGED ABOUT 31 YEARS
R/AT NO.4-112, CHELOOROVANDLA PALLI
BOORLAPALLI, PTM, BOORLAPALLE,
BOORLAPALLE, CHITTOOR
ANDHRA PRADESH-57 370
(NAME AND ADDRESS MENTIONED
AS PER AADHAAR CARD)
3. SMT. AMUDA
W/O LATE K.A SUBRAMANI
AGED ABOUT 50 YEARS
R/AT NEAR MARAMMA TEMPLE
BETTAHALASOOR, BETTAHALASURU
BANGALORE NORTH
BENGALURU-562 157
(NAME AND ADDRESS MENTIONED
AS PER AADHAAR CARD)
4. SMT. AMBIKA
W/O UMESH
AGED ABOUT 48 YEARS
RA/T #351-2, VIDYANAGAR CROSS
JALA HOBALI, BETTAHALASUR
BENGALURU-562 157
(NAME AND ADDRESS MENTIONED
AS PER AADHAAR CARD)
5. MS. SUMATHI
W/O S MURUGESH
AGED ABOUT 45 YEARS
R/AT #317, NEAR THANGARAJ HOUSE
VIDYANAGAR CROSS, BETTAHALASUR
BANGALORE NORTH



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(NAME AND ADDRESS MENTIONED
AS PER AADHAAR CARD)

6. MS. AMARAVATHI
W/O SRINIVAS RAO
AGED ABOUT 49 YEARS
R/AT #157, VIDYA NAGAR CROSS
CHIKKAJALA, BETTAHALASUR
BENGALURU-562 157
(NAME AND ADDRESS MENTIONED
AS PER AADHAAR CARD)

...PETITIONERS

(BY SRI. RAJASHEKAR.S, ADVOCATE)

AND:

1. STATE OF KARNATAKA
CHIKKAJALA PS
REPRESENTED BY
STATE PUBLIC PROSECUTOR
HIGH COURT BUILDING,
BENGALURU 560 001
2. SRI. K.P.NANJEGOWDA
S/O LATE PATALLAPA
AGED ABOUT 56 YEARS
R/AT SURVEY NO.1/4A
KADIGANAHALLI, JALA HOBLI
YELAHANKA TALUK
BENGALURU-562 157

...RESPONDENTS

(BY SRI. MAHESHA P, HCGP FOR R1,
SRI. MUNIRAJA.M, ADVOCATE FOR
SRI. RAVIKUMARA M, ADVOCATE FOR R2)

THIS CRL.P IS FILED U/S 482 CR.PC PRAYING TO QUASH
THE FIR IN CRIME NO.17/2024 DATED 26.01.2024 OF
CHIKKAJALA POLICE STATION ON THE FILE OF THE ACJ AND



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JMFC DEVANAHALLI AT DEVANAHALLI REGISTERED FOR THE OFFENCE P/U/S 506, 143, 147, 149, 447, 323 OF IPC 1860.

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

CORAM: HON'BLE MR. JUSTICE RAJESH RAI K

ORAL ORDER

1. While CrI.P.No.9186/2024 is filed under Section 482 of Cr.P.C. seeking to quash the proceedings in C.C.No.1567/2024 arising out Crime No.15/2024 on the file of the learned Addl. Civil Judge and JMFC, Devanahalli, against the petitioners for the offences punishable under Sections 143, 147, 341, 323, 324, 506 read with Section 149 of IPC, whereas, CrI.P.No.2294/2024 is filed seeking to quash the FIR in Crime No.17/2024 registered by Chikkajala Police Station on the file of the learned Addl. Civil Judge & JMFC, Devanahalli, against the petitioners for the offences punishable under Sections 143, 147, 149, 447, 323 and 506 of IPC.

2. The factual matrix of the case is that, the petitioners and the complainants in both the petitions are the two branches of the family and there was a dispute with regard to partition of the family properties. When things stood thus, the averments



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in Crl.P.No.2294/2024 state that respondent No.2 - K.P.Nanjegowda along with his family members tried to instigate petitioner No.1 i.e., Vema Reddy by not letting him to park his JCB vehicle in an empty site belonging to K.A.Subramani, where he regularly used to park the JCB from several years, whereas the averments in Crl.P.No.9186/2024 state that respondent No.2 i.e., Vema Reddy along with his wife and others have mischievously trespassed into the property of K.P.Nanjegowda. Due to which, there was a quarrel between the petitioners and the complainants in both the cases on 25.01.2024 at about 12.30 p.m. and there was assault between them with stones. As a result, respondent No.2 i.e., Vema Reddy lodged a complaint on 25.01.2024 against the petitioners in Crl.P.No.9186/2024, based on which FIR was registered in Crime No.15/2024 and charge sheet was filed and proceedings in C.C.No.1567/2024 was initiated. On the other hand, respondent No.2 i.e., K.P.Nanjegowda lodged a complaint on 26.01.2024 against the petitioners in Crl.P.No.2294/2024, based on which FIR was registered in Crime No.17/2024. Aggrieved by the same, the petitioners in both the petitions are



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before this Court in the present petitions seeking quashing of proceedings initiated against them.

3. Heard the learned counsel for the respective parties and also the learned HCGP.

4. Learned counsel for the petitioners in Crl.P.No.9186/2024 contended that in view of the civil dispute pending between the parties in O.S.No.67/2025 before the learned I Additional Senior Civil Judge and JMFC, Devanahalli, respondent No.2 - Vema Reddy lodged the complaint against the petitioners in order to give a criminal colour to the civil dispute. He further contended that except omnibus allegation, there is no specific allegation against the petitioners forthcoming either in the complaint or in the statement of witnesses. Further, he also contended that the petitioners in Crl.P.No.2294/2024 are the aggressors in the incident. However, after assaulting, respondent No.2 - Vema Reddy lodged a false complaint against the petitioners. As such, continuation of criminal proceedings against the petitioners would be nothing but abuse of process of law. Accordingly, he prays to quash the proceedings.



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5. On the other hand, learned counsel for the petitioners in Crl.P.No.2294/2024 contended that, respondent No.2 - K.P.Nanjegowda, wreaking vengeance has filed false complaint against the petitioners as a counter blast. As such, continuation of proceedings against the petitioners would be nothing but abuse of process of law. Accordingly, he prays to quash the proceedings.

6. *Per contra*, learned HCGP opposed the prayer in both the petitions.

7. I have given my anxious consideration to the submissions of learned counsel for the respective parties and perused the material on record.

8. As could be gathered from records, the incident was caused owing to a civil dispute between the parties in both the cases. According to the petitioners in Crl.P.No.9186/2024 there is a civil dispute pending between the parties in O.S.No.67/2025 before the learned I Additional Senior Civil Judge and JMFC, Devanahalli in respect of partition of the family properties. Admittedly, all the petitioners and the



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complainants in both the cases are the family members. On perusal of the complaint averments in both the cases, it is forthcoming that the incident was caused in connection with the parking of a JCB vehicle in the property belonging to K.A.Subramani by Vema Reddy. On further perusal of the statements of the witnesses in Crime No.15/2024, except some omnibus allegation made in the complaint, there is no such motive or *mens rea* forthcoming on the part of the petitioners to commit the offence. Even in CrI.P.No.2294/2024 is concerned, the FIR was registered on the following day of the incident. As such, it could be gathered that both the complaints were lodged out of wreaking vengeance in connection with the civil dispute between the parties.

9. The Hon'ble Apex Court in the case of **BIKKU BHAI GOVINDA BHAI VS. STATE OF GUJARAT** in **SLP (CrI) No.15537/2023 dated 22.05.2026**, held in paragraph Nos.52 to 54 as under:

"52. The present case, viewed in its peculiar facts and circumstances, constitutes all the characteristics of a civil property dispute, which is



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sought to be converted into criminal proceedings, after several years of civil litigation. We are of the opinion that the criminal process cannot be permitted to become a weapon of harassment and coercion in disputes concerning title over immovable property.

53. We are conscious of the principles laid down by this Court in the recent decision of Neeharika Infrastructure Pvt. Ltd. v. State of Maharashtra (supra) that courts should ordinarily refrain from interfering at the threshold stage of investigation. However, the said judgment itself recognises that where the allegations do not disclose the commission of cognizable offences or where criminal proceedings manifestly amount to abuse of process, the High Court is duty-bound to exercise its inherent jurisdiction under Section 482 of the CrPC.

54. The present case falls squarely within the well-settled categories warranting interference under Section 482 of the CrPC as Page 28 delineated in State of Haryana v. Bhajan Lal,¹² 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



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with mala fide intention, where there is extraordinary and unexplained delay, and where continuation of the prosecution would amount to abuse of process of court."

10. Further, the Hon'ble Apex Court in the case of **MOHAMMED ALI AND OTHERS VS. STATE OF UP - 2023**

(15) SCC 488 in paragraph No.11 to 14 held as under:

"11. The entire case put up by the first informant on the face of it appears to be concocted and fabricated. At this stage, we may refer to the parameters laid down by this Court for quashing of an FIR in the case of State of Haryana v. Bhajan Lal, AIR 1992 SC 604. The parameters are:-

"(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.



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(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." We are of the view that the case



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of the present appellants falls within the parameters Nos. 1, 5 and 7 resply of Bhajan Lal (supra).

12. 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. 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. 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 482 of the CrPC or Article 226 of the Constitution need not restrict itself only to the stage of a case but is empowered to



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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.

13. In State of Andhra Pradesh v. Golconda Linga Swamy, (2004) 6 SCC 522, a two-Judge Bench of this Court elaborated on the types of materials the High Court can assess to quash an FIR. The Court drew a fine distinction between consideration of materials that were tendered as evidence and appreciation of such evidence. Only such material that manifestly fails to prove the accusation in the FIR can be considered for quashing an FIR. The Court held:-

"5. ...Authority of the court exists for advancement of justice and if any attempt is made to abuse that authority so as to produce injustice, the court has power to prevent such abuse. It would be an abuse of the process of the court to allow any action which would result in injustice and prevent promotion of justice. In exercise of the powers court would be justified to quash any proceeding if it finds that initiation or continuance of it amounts to abuse of the process of court or quashing of these proceedings would otherwise serve the ends of justice. When no offence is disclosed by the complaint, the court may examine the question of fact. When a complaint is sought to be quashed, it is



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permissible to look into the materials to assess what the complainant has alleged and whether any offence is made out even if the allegations are accepted in toto.

6. In R.P. Kapur v. State of Punjab, AIR 1960 SC 866 : 1960 Cri LJ 1239, this Court summarised some categories of cases where inherent power can and should be exercised to quash the proceedings : (AIR p. 869, para 6)

(i) where it manifestly appears that there is a legal bar against the institution or continuance e.g. want of sanction;

(ii) where the allegations in the first information report or complaint taken at its face value and accepted in their entirety do not constitute the offence alleged;

(iii) where the allegations constitute an offence, but there is no legal evidence adduced or the evidence adduced clearly or manifestly fails to prove the charge.

7. In dealing with the last category, it is important to bear in mind the distinction between a case where there is no legal evidence or where there is evidence which is clearly inconsistent with the accusations made, and a case where there is legal



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evidence which, on appreciation, may or may not support the accusations. When exercising jurisdiction under Section 482 of the Code, the High Court would not ordinarily embark upon an enquiry whether the evidence in question is reliable or not or whether on a reasonable appreciation of it accusation would not be sustained. That is the function of the trial Judge. Judicial process, no doubt should not be an instrument of oppression, or, needless harassment. Court should be circumspect and judicious in exercising discretion and should take all relevant facts and circumstances into consideration before issuing process, lest it would be an instrument in the hands of a private complainant to unleash vendetta to harass any person needlessly. At the same time the section is not an instrument handed over to an accused to short-circuit a prosecution and bring about its sudden death....." (Emphasis supplied)

14. In the result, this appeal succeeds and is hereby allowed. The impugned order passed by the High Court of Judicature at Allahabad is hereby set aside. The criminal proceedings arising from FIR No. 127 of 2022 dated 04.06.2022 registered at Police Station Mirzapur, Saharanpur, State of U.P. are hereby quashed."

11. Collocating the above findings of the Hon'ble Apex Court to the facts and circumstances of this case, it is evident that the complaint has been filed by respondent No.2 out of



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vengeance and that the allegations made therein do not constitute the offences alleged against the petitioners and both the complaints are lodged in order to give a criminal colour to civil dispute. In such circumstances, continuation of the criminal proceedings against the petitioners would amount to an abuse of the process of law. Hence, I proceed to pass the following:

ORDER

- i. The petitions are ***allowed***.
- ii. The proceedings in C.C.No.1567/2024 arising out of Crime No.15/2024 registered by 1st respondent - Police Station against the petitioners in Crl.P.No.9186/2024 for the offences punishable under Sections 143, 147, 341, 323, 324, 506 read with Section 149 of IPC on the file of the learned Addl. Civil Judge and JMFC, Devanahalli are hereby quashed.
- iii. The proceedings in Crime No.17/2024 registered by 1st respondent - Police Station against the petitioners in



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Crl.P.No.2294/2024 for the offences punishable under Sections 143, 147, 149, 447, 323 and 506 of IPC on the file of the learned Addl. Civil Judge and JMFC, Devanahalli are hereby quashed.

SD/-
(RAJEH RAI K)
JUDGE

PKS/List No.: 1 Sl No.: 32