



CNR: KAHC010161372026

NC: 2026:KHC:49410  
CRL.P No. 3480 of 2026

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 10<sup>TH</sup> DAY OF SEPTEMBER, 2026**

**BEFORE**

**THE HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE**

**CRIMINAL PETITION NO. 3480 OF 2026**

**(482(Cr.PC) / 528(BNSS))**

**BETWEEN:**

1. MR. DEVANJAN BHATTACHARYA,  
S/O.LATE SRI SWAPAN KUMAR  
BHATTACHARYA,  
AGED ABOUT 37 YEARS,  
RESIDING AT NO. 27,  
5TH C' CROSS,  
P AND T LAYOUT, HORMAVU,  
BENGALURU - 560 043.
2. MRS. PRATIMA GHATAK,  
AGED ABOUT 37 YEARS,  
W/O DEVANJAN BHATTACHARYA,  
RESIDING AT NO. 27,  
5<sup>TH</sup> 'C' CROSS,  
P AND T LAYOUT, HORMAVU,  
BENGALURU - 560 043.  
REPRESENTED BY STATE PUBLIC PROSECUTOR  
HIGH COURT BUILDING.
3. MRS. RITIKA BHATTACHARYA,  
AGED ABOUT 36 YEARS,  
W/O ANKIT CHAKRABORTY,  
RESIDING AT NO. 88, 5<sup>TH</sup> CROSS,  
P AND T LAYOUT, HORMAVU,  
BENGALURU - 560 043.

...PETITIONERS

(BY SRI. ABHEEK SAHA, ADVOCATE FOR  
SRI. VISHWANATHA, ADVOCATE)

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RAMNATH HEGDE





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**AND:**

1. THE STATE OF KARNATAKA,  
REP.BY HENNUR POLICE STATION,  
BENGALURU.
2. MRS. MADHURI,  
AGED ABOUT 46 YEARS,  
W/O EP H REDDY, R/AT NO. 1,  
CONCORDE PARADISE,  
20<sup>TH</sup> MAIN, I A' CROSS,  
BENGALURU - 560 029.

...RESPONDENTS

(BY SRI. NAGARISH G.S. HCGP FOR R1)

THIS CRIMINAL PETITION FILED UNDER SECTION 482  
CR.PC (FILED U/S 528 BNNS) BY THE ADVOCATE FOR THE  
PETITIONER PRAYING THAT THIS HONOURABLE COURT MAY  
BE PLEASED TO QUASH THE ENTIRE PROCEEDINGS BEARING  
NO.C.C.NO.62712/2024 PENDING BEFORE XI A.C.J.M /A.C.M.M  
AT BENGALURU MAYO HALL COURT FILED AGAINST THE  
PETITIONERS.

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

CORAM: HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

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**ORAL ORDER**

Heard learned counsel appearing for the petitioners and learned High Court Government Pleader for the State.

2. This petition is filed to quash the proceedings in CC.No.62712/2024, pending before XI Additional Chief Metropolitan Magistrate, Mayohall, Bangalore City.

3. The charge sheet is filed, pursuant to complaint dated 28.04.2024 for the offences punishable under Sections 324, 326, 504, 506 and Section 34 of Indian Penal Code, 1860 ('IPC').

4. Learned counsel for the petitioners submit that the petitioners are the tenants under the complainant. The complainant without notice and permission of the petitioners entered into the premises and tried to assault petitioner No.2, and petitioner No.2 to protect herself has held a toy in front of the complainant. However, the complainant managed to assault petitioner No.2 and

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petitioner No.2 has sustained injury. The police did not register the FIR as they colluded with the complainant.

5. The matter is investigated and the charge sheet is filed against the complainant as well.

6. It is submitted that the charge sheet filed against the petitioner for the alleged offence under Section 324 of IPC is wholly untenable and the alleged incident has not taken place. It is only the complainant who has committed the crime and for which the complaint is rightly lodged by the petitioners.

7. The learned counsel for the petitioners would urge that the charge sheet and the prosecution against the petitioners is a gross abuse of the process of the Court and the petitioners are the victims of the assault by the complainant. Thus would urge that the petition has to be allowed.

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8. Learned High Court Government Pleader would submit that the charge sheet materials require trial and is the counter case. Charge sheet is filed against the complainant also.

9. It is further submitted that, the charge sheet would indicate the wound on the complainant/victim.

10. It is further submitted that, an application is filed by the petitioners for discharge and same is pending consideration before the Trial Court.

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

12. Admittedly, there are two complaints relating to the same incident. The presence of the all the persons named in the complaints are admitted. The question is who is the aggressor or who is the victim.

13. The contentions raised by the petitioners are based on disputed questions of facts. Those questions



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cannot be addressed in a petition under Section 482 of Code of Criminal Procedure, 1973 or 528 of Bharatiya Nagarik Suraksha Sanhita, 2023.

14. It is submitted that an application seeking discharge is pending.

15. Hence, without entering into the merits of the matter, the petition is ***dismissed***.

16. The application pending before the Trial Court shall be considered in accordance with law. Merely because this petition is not entertained, it should not be construed as having expressed any opinion on the merits of the contentions raised by the petitioners.

All contentions are to be urged before the Trial Court in the pending application.

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RAMNATH HEGDE

**(ANANT RAMANATH HEGDE)**  
**JUDGE**