



CNR: KAHC010189782019

NC: 2026:KHC:48855
CRL.P No. 4888 of 2019

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 9TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE H.P.SANDESH

CRIMINAL PETITION NO.4888 OF 2019

BETWEEN:

1. NYANCY @ APARNA SINGH BHAGEL,
D/O. MITHESH PRATAB,
AGED ABOUT 25 YEARS,
LAKSHMI LADIES PG,
BTM LAYOUT,
1ST STAGE, 9TH MAIN,
BENGALURU-560029.

...PETITIONER

(BY SRI. KAMALUDDIN AHMAD, ADVOCATE)

AND:

1. STATE OF KARNATAKA,
BY SUDDAGUNTEPALYA POLICE STATION,
REPRESENTED BY STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
BENGALURU-560001.
2. SMT. DIVYA C.,
W/O. RAMYASON ROHAN VAS,
NO.15, 2ND CROSS,
4TH MAIN, BAPUJINAGAR,
BENGALURU-560026.

...RESPONDENTS

(BY SRI.M. DIVAKAR MADDUR, HCGP FOR R1;
VIDE ORDER DATED 06.07.2022,
NOTICE TO R2 IS HELD SUFFICIENT)

Digitally signed
by DEVIKA M
Location: HIGH
COURT OF
KARNATAKA



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THIS CRIMINAL PETITION IS FILED UNDER SECTION 482 OF CR.P.C PRAYING TO QUASH THE ENTIRE PROCEEDINGS IN C.C.NO.21981/2018 ARISING OUT OF CRIME NO.282/2017, OF THE 2nd RESPONDENT POLICE, PENDING ON THE FILE OF THE VI ADDITIONAL CHIEF METROPOLITAN MAGISTRATE BENGALURU (ANNEXURE-A), FOR THE OFFENCES PUNISHABLE UNDER SECTIONS 420, 354, 504, 506, 120-B R/W SECTION 34 OF IPC AND TO QUASH THE ENTIRE CHARGE SHEET IN C.C.NO.21981/2018, ARISING OUT OF CRIME NO.282/2017 OF THE 2nd RESPONDENT POLICE, PENDING ON THE FILE OF THE VI ADDITIONAL CHIEF METROPOLITAN MAGISTRATE, BENGALURU (ANNEXURE-D) FOR THE OFFENCES PUNISHABLE UNDER SECTIONS 420, 354, 504, 506, 120-B R/W SECTION 34 OF IPC.

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

CORAM: HON'BLE MR. JUSTICE H.P.SANDESH

ORAL ORDER

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

2. This petition is filed for quashing of the proceedings initiated against this petitioner, who has been arrayed as accused No.1, for the offences punishable under Sections 354, 420, 504, 506, 120B read with Section 34 of IPC. The police after the investigation have filed the charge-sheet.



3. The main contention of the learned counsel for the petitioner while seeking the relief of quashment of C.C. proceedings is that, the Trial Court committed an error in taking the cognizance of the offence and the same is mechanical in nature and without application of judicious mind passed an order of taking of cognizance and hence, the order dated 06.08.2018 is liable to be quashed. The learned counsel would contend that the Investigating Officer has not properly investigated the case. The allegations made in the complaint or in the FIR or even in the statements recorded by respondent No.1, even if they are taken on their face value and accepted in their entirety, do not prima facie constitute any offence or make out a case against the petitioner. The learned counsel would contend that a false case has been foisted at the instance of respondent No.2 and her husband and no ingredients of the offences under Sections 354, 420, 504, 506 and 120B of IPC have been made out and hence it is a case for quashing of the proceedings.

4. Per contra, the learned High Court Government Pleader appearing for respondent No.1/State would contend



that the statement of the complainant is also recorded. Apart from that, there are eyewitnesses to the incident and their statements are also recorded and recovery is also made and those witnesses have been cited as CW1 to CW19 and their statements have to be considered during the course of trial. The learned counsel also would contend that specific allegations are made invoking the ingredients of the offences under Sections 420, 354, 504, 506, 120B read with Section 34 of IPC, wherein a promise was made to get the job and also collected the amount from the complainant and other persons for conducting an interview and even did not get the job and no such interview also conducted and hence, charge-sheet is filed.

5. Having heard the learned counsel for the petitioner and the learned High Court Government Pleader appearing for respondent No.1/State, based on the complaint, case is registered and the matter is investigated and also recorded the statement of the complainant as well as the persons who have witnessed the incident i.e., CW10 to CW15 and also the recovery witnesses CW3 and CW4 and also the witnesses CW6 to CW8, who are the eyewitnesses. When such statements are



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recorded, their testimony has to be considered during the course of trial and the veracity of their statements also to be tested in trial. When such allegations are made and statements are recorded, it is not a case for invoking Section 482 of Cr.P.C. and case needs a trial and hence, I do not find any grounds to entertain the petition under Section 482 of Cr.P.C. and the very contention that a false case has been foisted against the petitioner cannot be ascertained exercising the jurisdiction under Section 482 of Cr.P.C.

6. In view of the discussions made above, I pass the following:

ORDER

The petition is dismissed.

**Sd/-
(H.P.SANDESH)
JUDGE**

MD
List No.: 1 Sl No.: 20