



CNR: KAHC010222202020

NC: 2026:KHC:52381
CRL.P No. 3684 of 2020

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF SEPTEMBER, 2026

BEFORE

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

CRIMINAL PETITION NO.3684 OF 2020

BETWEEN:

MR. ASHWATH HEGDE
AGED 28 YEARS
S/O ARUN HEGDE
FOUNDER AND MANAGING DIRECTOR
OF ENVIGREEN BIOTECH INDIA PVT LTD.
OFFICE AT 1012 10TH FLOOR
PRESTIGE MERIDIAN-1
M G ROAD, BANGALORE-560001

...PETITIONER

(BY SRI P P HEDGE, SR. COUNSEL FOR
MS./SMT. SHARADI S SHETTY A/W
VENKATESH SOMAREDDI AND KEDARNATH K HANDRAIL,
ADVOCATES)

AND:

1. THE STATE
REP. BY THE INSPECTOR OF POLICE
VENOOR P.S.
BELTHANGADY
REP. BY THE STATE PUBLIC PROSECUTOR
HIGH COURT OF KARNATAKA,
BENGALURU-560001
2. MR. RAKESH HEGDE
S/O ANNI HEDGE

Digitally signed
by DEVIKA M
Location: HIGH
COURT OF
KARNATAKA



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AGED 35 YEARS
R/AT "ASHWINI NILAYA"
KUNLENJIRODY HOUSE
BALANJA VILLAGE
BELTHANGADY
DAKSHINA KANNADA -574214
KARNATAKA

...RESPONDENTS

(BY SRI SUHAS GOWDA M, HCGP FOR R1;
SRI SACHIN B S, ADVOCATE FOR R2)

THIS CRL.P IS FILED U/S.482 OF CR.P.C PRAYING TO
QUASH THE FIR IN CR.NO.23/2020 OF VENOOR POLICE
STATION, BELTHANGADY, PENDING ON THE FILE OF
ADDITIONAL CIVIL JUDGE AND J.M.F.C., BENLTHANGADY VIDE
ANNEXURE-A AND ETC.

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 appearing for the respective
parties.

2. This petition is filed praying this Court to quash
the FIR in Cr.No.23/2020 of Venoor Police Station,
Belthangady, for the offences under Sections 504 and 506 of



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IPC pending on the file of Additional Civil Judge and JMFC Court, Belthangady.

3. The factual matrix of case of the complainant that on 27.02.2020, received a threat phone call and on the next day on 28.02.2020 at 07.30 p.m., when the complainant had been to the playground, this petitioner came in a car bearing Reg. No.KA51- MM-6300 along with Talwar and also pistol in his pant pocket and abused in a filthy language and tried to blow with the Talwar. But, the complainant escaped from the said blow. Thus, the petitioner shouted on the complainant telling that today, he escaped but going to commit his murder. Based on this complaint, case was registered.

4. The counsel appearing for the petitioner in his arguments would vehemently contend that there was a civil dispute between the parties. This petitioner is a young entrepreneur and is the founder and managing director of Envigreen Biotech Private Limited, Bangalore. The counsel also would contend that he has also been a youth icon and has received various awards. Respondent No.2 in order to



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defame and cause loss to the reputation of the petitioner and with previous enmity, has filed this false complaint with an intention to humiliate the petitioner.

5. The counsel also submits that the petitioner had filed a suit against the family members of respondent No.2 on 17.01.2020 and had also obtained an interim order of injunction. When the interim order was granted, a false complaint is filed suppressing the true facts. The counsel also vehemently contend that the offences invoked are not cognizable offences, but FIR is registered without following the procedure.

6. Per contra, the counsel appearing for the complainant would submit that the incident has been taken place and specifically stated in the complaint itself the word which was used by the petitioner and also causing of life threat and also stated in the complaint that there was a civil dispute between the parties in O.S.No.52/2019. The counsel would contend that when this incident was taken place, the petitioner came with the deadly weapon like Talwar and also



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the pistol and abused in a filthy language and gave life threat. Hence, no ground is made out to quash the proceedings.

7. Having heard the learned counsel appearing for the respective parties and also on perusal of the material on record, it discloses that the factual aspects of the case is very clear that there was a civil dispute between the parties in O.S.No.52/2019 and the same is pending before the Additional Civil Judge and JMFC. It is very clear that an interim order was granted in favour of the petitioner and the said suit was filed on 17.01.2020 and having granted the interim order, the present complaint is filed on 28.02.2020 making the allegation. Having perused this complaint, it discloses that though it is stated that incident is near the playground, but the complaint does not disclose that anyone witnessed the said incident and even nothing is mentioned in the complaint that the same was witnessed by any of the persons who were present at the spot in respect of abusing and also causing of life threat. Hence it is very clear that



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there is a force in the contention of the counsel appearing for the petitioner that this complaint is offshoot of the civil suit and only with an intention to harass the petitioner, complaint is filed. The counsel appearing for the complainant/respondent would submit that when the offences are invoked under Sections 504 and 506, the police ought not to have registered the case and ought to have invoked Section 155(2) of Cr.P.C and liberty may be given. Having considered the submission of the petitioner's counsel and also the counsel appearing for the respondent, it is clear that the very registration of case is not in accordance with law as well as the complaint does not disclose that the alleged incident was witnessed by any of the persons and this court made an observation that complaint does not disclose anything that this incident is witnessed by anybody. When civil suit is pending and an interim order was granted, a criminal colour is given to the civil dispute which is pending between the parties. Hence, it is a fit case to quash the proceedings initiated against the petitioner or otherwise, it amounts to miscarriage of justice.



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8. In view of the discussion made above, I pass the following:

ORDER

The petition is allowed.

FIR in Cr.No.23/2020 of Venoor Police Station, Belthangady, for the offences under Sections 504 and 506 of IPC pending on the file of Additional Civil Judge and JMFC Court, Belthangady is hereby quashed.

In view of disposal of the main petition, I.A. if any, does not survive for consideration and the same stands disposed of.

Sd/-
(H.P.SANDESH)
JUDGE

SN