



CNR: KAHC010265772019

NC: 2026:KHC:43235
CRL.P No. 6340 of 2019

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 13TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE RAVI V HOSMANI

CRIMINAL PETITION NO. 6340 OF 2019

BETWEEN:

NANDEESHA
S/O REVANNA B R
BANAVARA VILLAGE
SOMAWARPET TALUK - 571 236
KODAGU DISTRICT.

...PETITIONER

(BY SRI AMSHUMAN M., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
BY POLICE SUB INSPECTOR
SOMWARPET - 571 236
BY STATE PUBLIC PROSECUTOR
HIGH COURT OF KARNATAKA
BANGALORE - 560 001.
2. SHALINI
D/O KRISHNAPPA T A
SHUBHASNAGAR COLONY
THOLUR SHETTALLY VILLAGE
SOMWARPET TALUK - 571 236
KODAGU DISTRICT.

...RESPONDENTS

(BY SRI MAHESHA P., HCGP FOR R1;
SRI SACHIN B.S., ADVOCATE FOR R2)

THIS CRL.P IS FILED U/S.482 CR.P.C PRAYING TO QUASH
CHARGE SHEET ON THE FILE OF THE HONBLE PRINCIPAL CIVIL

Digitally signed
by ANUSHA V
Location: High
Court of
Karnataka



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JUDGE (Jr.Dn.) AND JMFC SOMWARPET NUMBERED AS C.C.NO.382/2019 (IN CR.NO.332/2018) REGISTERED AT SOMWARPET POLICE STATION U/S.376 AND 417 OF IPC 1860 AT IN SO FAR AS THE PETITIONER IS CONCERNED AT ANNEXURE-A.

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

CORAM: HON'BLE MR. JUSTICE RAVI V HOSMANI

ORAL ORDER

Learned HCGP for respondent-State has filed a memo stating that during pendency of this petition filed challenging charge sheet and for quashing of proceedings in CC no.382/2019 on file of Principal Civil Judge (Jr.Dn.) & JMFC, Somwarpet, trial Court had framed charges on 15.03.2021 and proceeded to stage of trial, rendering above petition infructuous in view of decision of Hon'ble Supreme Court in ***Meenakshi Bala v. Sujath Kumar & Ors.*** reported in ***(1994) 4 SCC 142.***

2. Learned counsel for petitioner however would counter such submission on ground that Hon'ble Supreme Court in later decision in ***Vishnu Kumar Shukla & Anr. v. State of Uttar Pradesh & Anr.*** reported in ***(2023) 15 SCC 502,*** after taking note of decision in ***Meenakshi Bala's*** case



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(supra) had chosen to examine matter on merits and quashed proceedings against appellants therein, to contend that decision in **Meenakshi Bala**'s case would provide for exceptions.

3. It was alternatively submitted that charges framed on 15.03.2021 by trial Court was after grant of interim order by this Court on 17.10.2019 staying further proceedings against petitioner-sole accused in respect of offence under Section 376 of Indian Penal Code, 1860 (**IPC**) and therefore, there was likelihood that charge may be framed later for said offence also and prays for consideration of petition on merits.

4. Heard learned counsel and perused material on record.

5. This petition is filed by sole accused challenging Charge sheet and entire proceedings against him for offences punishable under Sections 376 and 417 of IPC.

6. It is seen, this Court on 17.10.2019 granted an interim order of stay of further proceedings insofar as offence under Section 376 of IPC. Though trial Court had thereafter proceeded to frame charges on 15.03.2021 by omitting Section 376 of IPC. Thus, though omission to frame charge for offence



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under Section 376 of IPC is due to interim order granted by this Court, proceedings before trial Court had progressed inviting ratio in ***Meenakshi Bala***'s case. In case prosecution seeks for framing of charge for offence under Section 376 of IPC also, it is found appropriate to reserve liberty to petitioner to file an application for discharge before trial Court, urging all grounds urged herein.

With above observations, petition is ***disposed of***.

Sd/-
(RAVI V HOSMANI)
JUDGE

AV
List No.: 1 SI No.: 10