



CNR: KAHC010290762026

NC: 2026:KHC:54348
CRL.P No. 6257 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

CRIMINAL PETITION NO. 6257 OF 2026

BETWEEN:

1. SOWMITRO CHATTERJEE,
S/O SADHAN CHATTERJEE,
AGED ABOUT 36 YEARS,
R/AT FLAT NO.B-802, OPPOSITE ROYAL ENCLAVE,
RACHENAHALLI, THANISANDRA,
BENGALURU - 560 064.
2. GOVINDARAJAN SRINIVASAN,
S/O MELAPANIYUR SRINIVASAN GOVINDARAJAN,
AGED ABOUT 68 YEARS
MITHUNA WHITE ASPERA APRTMENTS
OPPOSITE ROYAL ENCLAVE,
R/AT FLAT NO.B-802, BENGALURU 560 064.
RACHENAHALLI, THANISANDRA,
ALSO R/AT NO.7
RACE VIEW APARTMENTS UDAY BAUGH, PUNE.
...PETITIONERS

(BY SRI ARUN G, ADVOCATE)

AND:

1. STATE BY BELLANDUR POLICE STATION,
BANGALORE - 560 003,
(REPRESENTED BY STATE PUBLIC PROSECUTOR,
HIGH COURT BUILDING, BANGALORE).
2. BALDEV MAHATO,
AGED ABOUT 34 YEARS,
S/O ARJUN MAHATO,
R/AT NO. 34, ADARSH PALM RETREAT,

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BELLANDUR, BENGALURU.

...RESPONDENTS

(BY SRI NAGHARISH G S, HCGP FOR R1,
SRI M D THIMMAIAH, ADVOCATE)

THIS CRL.P IS FILED U/S 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 FIR AND COMPLAINT/ANNEXURE A IN CRIME NO.36/2026 REGISTERED U/S 317, 318, 342, 336, 60 R/W 3(5) OF BNS 2023 BY BELLANDUR POLICE STATION WHICH IS ON THE FILE OF THE HONBLE XLI ADDL.CJM AT BANGALORE.

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

CORAM: HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

ORAL ORDER

Heard learned counsel appearing for the petitioners, learned HCGP for respondent No.1 and learned counsel for respondent No.2.

2. This petition is filed to quash the FIR in Crime No.036/2026 under Sections 317, 318, 342, 336, 360 read with Section 3(5) of Bharatiya Nyaya Sanhita, 2023.

3. Learned counsel appearing for the petitioners would submit that the petitioners are the Directors of a company by name M/s Honeygo Food India Pvt. Ltd. It is

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the contention that the complaint is filed alleging forgery of the documents relating to the Company and the learned counsel of the petitioners would urge that the petitioner No.1 had also lodged a complaint on 03.09.2025 against respondent No.2 and others and the same is pending consideration before the jurisdictional Police. The matter is investigated and 'B' report is filed and the petitioner No.2 has received notice relating to the 'B' report. The petitioner No.2 is contemplating objection to the said 'B' report.

4. It is the further contention that the allegations made in the complaint by the second petitioner and the allegations made in the complaint filed by respondent No.2 are in respect of certain documents which are common and the Magistrate before whom the private complaint is filed by respondent No.2 was aware of the fact that a complaint is also filed by petitioner No.2 and same was pending consideration and investigation by the jurisdiction Police. Thus, it is urged that the Magistrate ought to have



exercised his jurisdiction under Section 233 of Bharatiya Nagarika Suraksha Sahitha, 2023. It is also urged that the registration of FIR and the order to investigate the matter is impermissible in the aforementioned circumstances.

5. Learned counsel for the second respondent submits that Section 233 of BNSS, 2023 can be invoked only in case of two complaints are filed in respect of the same incident by the same complainant. In the present situation there are two different complaints by two different complainants and the complaints are against each other and merely because some of the documents referred to in both the complaints are one and the same, it is not a ground to invoke Section 233 of the Bharatiya Nagarika Surkasha Sanitha, 2023.

6. The Court has considered the contentions raised at the bar and perused the records.

7. Admittedly, now the 'B' report is filed based on one of the complaints and the learned counsel for the

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petitioners based on instructions would submit that the petitioners will file a protest petition to the said 'B' report.

8. It appears from the contentions raised that both the parties are referring to some of the documents which are common and there are allegations and counter allegations relating to the forgery of some documents.

9. Since 'B' report is already filed, the Court is of the view that correctness of the 'B' report if questioned, has to be considered by the jurisdictional Magistrate.

10. However, the contents of the complaint which is under challenge would also warrant an inquiry or investigation. At the same time, as rightly contended by the learned counsel for the petitioners in case of investigation on the complaint filed by respondent No.2 is not deferred till the objection to the 'B' report is heard on merit, there is a possibility of conflicting report in case the investigation is ordered by the Magistrate by rejecting the 'B' report.

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11. To avoid such situation, the Court is of the view that the petitioners should be permitted to file the objection to the 'B' report within 15 days from today and if such objection is filed, same shall be considered on merits within 30 days thereafter.

12. Till then the investigation into the complaint under challenge shall be deferred. In case of protest petition to the 'B' report by petitioner No.2, based on the order to be passed on the said protest petition to the said 'B' report, the Trial Court or the Investigating Officer shall take further steps as advised in law.

13. It is made clear that this Court has not expressed anything on the merits and demerits of the contentions raised by both the parties.

14. The petition is ***disposed of*** with liberty to the petitioners to file objection to the 'B' report within 15 days from today and thereafter, the directions issued in paragraphs No.11 and 12 *supra* shall be followed.



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15. All contentions kept open.

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(ANANT RAMANATH HEGDE)
JUDGE

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List No.: 1 Sl No.: 6