



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 13166 OF 2026 (GM-POLICE)

BETWEEN:

1. MUTHOOT FINCORP LIMITED
A COMPANY REGISTERED UNDER THE
COMPANIES ACT 1956,
WITH ITS REGISTERED OFFICE AT
MUTHOOT CENTRE
TC NO. 27/3022 PUNNEN ROAD
TRIVANDRUM, KERALA 695 001
WITH ITS BRANCH OFFICE AT
NO. 11 AND 11A, FIRST FLOOR
ABBIGERE MAIN ROAD
NEAR VISHNU SUPER MARKET
KAMMAGONDANAHALLI
BENGALURU 560 001
REPRESENTED BY ITS AUTHORIZED
REPRESENTATIVE
MS BINDU VS

Digitally signed
by SHWETHA
RAGHAVENDRA

Location: HIGH
COURT OF
KARNATAKA

...PETITIONER

(BY Ms: SPOORTHY COTHA, ADV FOR
SRI: A S VISHWAJITH.,ADV)

AND:

1. STATE OF KARNATAKA
REPRESENTED BY ITS HOME SECRETARY
VIDHANA SOUDHA
DEPARTMENT OF HOME
BENGALURU 560 001



2. SHIVAJINAGAR POLICE STATION
HKP ROAD, SHIVAJINAGAR
BENGALURU CITY 560 051
REPRESENTED BY ITS STATION HOUSE OFFICER
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KARNATAKA
HIGH COURT BUILDING
BENGALURU 560 001

...RESPONDENTS

(BY SRI: C H DEVARAJ, GOVT ADVOCATE)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH TWO NOTICE BOTH NUMBERED NOTICE NO.SNPS/78/2026 DATED 21.04.2026 ISSUED BY RESPONDENT NO.2 TO THE PETITIONER AT ANNEXURE-F AND F1; AWARD THE COSTS OF THIS WP TO THE PETITIONER AND ETC.,

THIS WP, COMING ON FOR FINAL HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. Petitioner is before this Court seeking for the following reliefs:

- "a) Issue a writ or certiorari or any other order or direction quashing two notices both numbered notice No.SNPS/78/2026 dated 21.04.2026 issued by Respondent No.2 to the petitioner at Annexure-F & F1.
- b) Award the costs of this writ petition to the Petitioner; and



- c) Pass any other order deemed fit in the facts and circumstances of the case."
2. The submission of learned counsel for the petitioner on 05.06.2026 was that, the gold as regards which the notice has been issued was initially pledged with M/s.Nishka Finance Private Limited at Mathikari Branch on 05.04.2025 and the FIR which is lodged, indicated that the theft took place between August, 2025 and April, 2026. On that basis, it is contented that the gold pledged with the petitioner is not subject matter of FIR and as such the notice could not have been issued to the petitioner.
3. In that background, learned AGA was called upon to obtain instructions and make his submission.
4. Today, learned AGA submits that accused No.1 in the said FIR is a relative of the complainants. The complainants were not aware as to exactly when the theft took place. The gold has been removed from their house by the said relative - accused No.1 from time to time without the knowledge of the complainants and it is only after the complainants came to know of the removal, that they had



lodged a complaint giving the dates of removal as understood by them at that point of time.

5. His submission is that investigation being ongoing, the details of the crime committed are yet to be ascertained. It should be so ascertained in due course of time. The notice having been issued in furtherance of the crime which has been registered, it is but required for the petitioner to answer the said notice and co-operate with the investigation.
6. The facts are clear that there is a complaint in FIR No.78 of 2026 registered by the Shivajinagar Police Station, Pulakeshinagar Sub-Division, for offences under Section 305 of BNS. The complainants alleging that their gold has been stolen by accused No.1, along with the associates who are alleged to have pledged the gold with M/s.Nishka Finance Private Limited, which was subsequently pledged with the petitioner.
7. Such being the case, the actual aspect would have to be ascertained during the course of investigation to ascertain whether the gold is that belonging to the complainants



and has been pledged with the petitioner as also to ascertain the right of the petitioner in respect of the said gold. This Court has dealt with the right of the pledgee of gold, more particularly, gold finance companies in ***IIFL Finance Ltd., Vs State of Karnataka and another¹***. The reasoning in the said decision would equally apply to the present case.

8. In view of my findings as regards point No.1, 2, and 3 in ***IIFL Finance Ltd.***, I am of the considered opinion that no grounds having been made out by the petitioner to grant the reliefs which have been sought for, it would be for the petitioner to produce the gold articles before the investigating officer and for the investigating officer to examine whether the gold articles produced are said to have been stolen and if so stolen, to comply with the requirements of Section 106 of the BNSS. Further needless to say, that it would be for the petitioner to answer all the queries that are raised by respondent No.2 during the course of the investigation.

¹ WP 31057/2025 DD 04.02.2026



NC: 2026:KHC:29546
WP No. 13166 of 2026

9. With the above observations, the writ petition stands
disposed of.

SD/-
(SURAJ GOVINDARAJ)
JUDGE

BGN
List No.: 1 Sl No.: 64