



CNR: KAHC010300982026

NC: 2026:KHC:47432
WP No. 14023 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 1ST DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.NAGAPRASANNA

WRIT PETITION NO. 14023 OF 2026 (GM-RES)

BETWEEN:

HARISH KUMAR R
AGED ABOUT 38 YEARS,
S/O LATE RAMALINGAIAH K
R/AT YARAGANAHALLI VILLAGE
ATHAGURU HOBALI
MADDURU THALUK
MANDYA - 571 433

...PETITIONER

(BY SRI. SHERVIL ADAPPA, ADVOCATE)

AND:

1. STATE OF KARNATAKA BY
BY RT NAGAR POLICE STATION,
BENGALURU.
REPRESENTED BY S.P.P.,
HIGH COURT OF KARNATAKA,
BENGALURU - 560 001
2. MOHAN KUMAR A
S/O LATE ASHWATHAIAH
AGED ABOUT 52 YEARS
R/AT 265, 6TH CROSS,
2ND BLOCK,

Digitally
signed by
CHETAN B C
Location:
High Court
of Karnataka



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RT NAGAR,
BENGALURU - 560 032

...RESPONDENTS

(BY SMT. RASHMI PATEL, HCGP FOR R1
SRI. D.R. RAVISHANKAR, SENIOR ADVOCATE A/W
SRI. AKSHAY R. HUDDAR, ADVOCATE FOR R2)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA READ WITH SECTION 528 OF BNSS, 2023, PRAYING TO ISSUE A WRIT IN THE NATURE OF CERTIORARI OR ANY OTHER APPROPRIATE WRIT, ORDER OR DIRECTION QUASHING THE COMPLAINT DATED 07.06.2024 IN CRIME NO 193/ 2024 FILED BY THE COMPLAINANT BEFORE THE RESPONDENT NO 1. (ANNEXURE- A) AND ETC.

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

CORAM: **HON'BLE MR. JUSTICE M.NAGAPRASANNA**

ORAL ORDER

Heard Sri. Shervil Adappa, learned counsel appearing for the petitioner, Smt. Rashmi Patel, learned HCGP appearing for respondent No.1, Sri. D.R. Ravishankar, learned Senior counsel along with Sri. Akshay R. Huddar, appearing for respondent No.2 and have perused the material on record.



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2. The petitioner is before this Court, seeking the following prayer:

- "a. Issue a writ in the nature of Certiorari or any other appropriate Writ, order or direction quashing the Complaint dated 07.06.2024 in crime No 193 / 2024 filed by the complainant before the Respondent No 1 in so far as the Petitioner is concerned. (Annexure-A).
- b. Issue a writ in the nature of certiorari or any other appropriate Writ, order or direction quashing the FIR dated 10.06.2024 in crime No 193/2024 filed by the Respondent No 1 for offences Punishable under S. 506 and 34 of IPC Act on the file of the Learned 8th Addl CMM Court Nrupatunga Road Bangalore in so far as the Petitioner is concerned. (Annexure - B).
- c. Issue a writ in the nature of Certiorari or any other appropriate Writ, order or direction quashing the Charge Sheet dated 01.07.2025 in crime No. 193/2024 filed by the Respondent No1 for offences Punishable under S. 506, 384 and 511 of IPC on the file of the Learned 8th Addl CMM Court Nrupathunga Road Bangalore in so far as the Petitioner is concerned. (Annexure - C).
- d. Issue a writ in the nature of Certiorari or any other appropriate Writ, order or direction quashing the entire order sheet CC No 27242/2025 in Crime No 193/2024 pending on the file of the Learned 8th Addl CMM Court Nrupatunga road Bangalore in so far as the Petitioner is concerned. (Annexure - D).
- e. Issue any other appropriate writ, order or direction as deemed fit to be granted in the facts and circumstances of the case including direction for costs."



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3. This Court, on 21.07.2026, had passed the following order:

"Heard the learned counsel Sri.Bipin Hegde, appearing for the petitioner.

The learned SPP-I and the counsel for the complainant submit that charges have been framed and the matter is at the stage of evidence.

The learned counsel Sri.Bipin Hegde would submit that it is a case and a counter complaint. The counter complaint has resulted in a 'B' report. 'B' report is accepted by the concerned Court and he would raise a challenge to the said order as well, though that would not have any bearing on a decision that would be rendered by this Court in this petition.

Owing to the submission of counsel Sri.Bipin Hegde, list this matter on **04.08.2026.**"

4. This Court owing to the submission of the learned counsel appearing for the petitioner had on 06.08.2026, granted the following order:

"Heard Sri Bipin Hegde, learned counsel for the petitioner and Sri Akshay R Huddar, learned counsel for the respondent No.2. The issue in the lis is a case and a counter case.

A deeper delving into the lis emerge as a case and a counter case registered at two different police stations. Therefore, a solitary investigation officer ought to have investigated into the crime, which arose by a solitary incident. Two investigating officers investigate into the matters, one files a 'B' report and the other files a charge sheet. 'B' report is accepted and the proceedings are closed, which was initiated by the petitioner against the



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complainant. The fulcrum of the lis is, a transaction of Rs.25/- lakhs allegedly taken by the complainant from the hands of the petitioner against a cheque that is given. The cheque comes to be dishonoured and proceedings invoking Section 138 of the N.I.Act ensue.

In the light of all these circumstances, that the amount is handed over the accused No.2, this Court is of the considered opinion that if the parties sit across and explore the possibilities of settlement, once for all, as the issue is with regard to a transaction of Rs.25/- lakhs and recovery of the said amount.

In the light of the circumstances, there shall be an interim order of stay of all further proceedings in C.C.No.27242/2025, pending before the 8th Additional Chief Metropolitan Magistrate Court, Nrupathunga Road, Bengaluru, qua the petitioner, till the next date of hearing.

List this matter on **17.08.2026, in the fresh matters list."**

5. The interim order was granted on the score that a solitary Investigating Officer had to investigate into a case and counter case. It is then the State has steered clear the problem that it was not a case and a counter case, but a case and a counter blast at a later point in time. Therefore, two different Investigating Officers investigating into the issue was not found fault with.

6. However, the learned counsel appearing for the complainant would submit that the charges are framed and the trial is on.



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7. In that light, there is no warrant of interference at the hands of this Court at this stage is what this Court is holding in every case where the charges are framed.

8. In that light, the petition stands disposed reserving liberty to the petitioner to urge all the contentions before the concerned Court at the relevant point in time.

Ordered accordingly.

**Sd/-
(M.NAGAPRASANNA)
JUDGE**

SJK
List No.: 1 Sl No.: 50