



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 3RD DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE RAVI V HOSMANI

CRIMINAL PETITION NO. 4498 OF 2019

BETWEEN:

SEETHALAKSHMI VENKATRAMAN
W/O LATE G.V. VENKATRAMAN,
AGED ABOUT 68 YEARS,
BOTH RESIDING AT NO.270,
4TH MAIN ROAD, 1ST BLOCK,
KORAMANGALA, BENGALURU - 560 034.

...PETITIONER

(BY SRI. SHASHANK S, ADVOCATE FOR
SRI. SRINIVAS, ADVOCATE)

AND:

1. STATE OF KARNATAKA
REPRESENTED BY WHITEFIELD
POLICE STATION, WHITEFIELD,
BENGALURU., REP. BY ITS SPP
HIGH COURT BUILDING,
BENGALURU - 560 001.
2. MANJUNATH REDDY
S/O LATE HANUMAIAH, MAJOR IN AGE,
RESIDING AT NEAR VENUGOPAL TEMPLE
NALLURAHALLI, WHITEFIELD,
BENGALURU - 560 066.

...RESPONDENTS

(BY SMT. SOWMYA R, HCGP FOR R1;
R2 - SERVED AND UNREPRESENTED)

Digitally signed
by ANUSHA V
Location: High
Court of
Karnataka



THIS CRL.P IS FILED U/S.482 OF CR.P.C PRAYING TO QUASH THE FIR DATED 01.06.2019 IN CRIME NO.246/2019 REGISTERED BY THE 1st RESPONDENT AGAINST THE PETITIONER PRODUCED AT ANNEXURE A AND PENDING BEFORE ACJM BENGALURU RURAL AND HENCE OFFENCE U/S.427, 447 R/W SEC.34 OF IPC 1860.

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

CORAM: HON'BLE MR. JUSTICE RAVI V HOSMANI

ORAL ORDER

Challenging registration of FIR dated 01.06.2019 in Crime no.246/2019 by Whitefield Police Station, presently stated to be pending before Additional Chief Judicial Magistrate, Bengaluru Rural, Bengaluru, for offences punishable under Sections 427 and 447 read with Section 34 of Indian Penal Code, 1860 (**IPC**) this Petition is filed.

2. Sri S.Shashank, learned counsel appearing for Sri S.V.Srinivas, learned counsel for petitioner submitted that petitioner was sole accused in complaint filed by respondent no.2 as per Annexure-E alleging that a suit was filed with regard to land bearing Sy.no.56/2 measuring 1 acre 21 guntas situated at Nellurahalli village, K.R.Pura, Hobli, Bengaluru East and though accused herein was not having any right over said



land, along with Venugopal Reddy and other henchmen had on 29.03.2019 trespassed into complainant's land and that a complaint was registered on same day.

3. It was further alleged that interference was in violation of order of temporary injunction granted in O.S.no.64/2009 on file of II Additional Civil Judge (Jr.Dn.), Bengaluru Rural, Bengaluru. It was submitted that said complaint was a counterblast as petitioner herein along with her daughter had filed O.S.no.554/2019 before Prl. Civil Judge, Bengaluru Rural, Bengaluru, for permanent injunction, wherein complainant was defendant no.1 and trial Court had granted an order of temporary injunction on 08.04.2019. It was submitted that sale deed dated 23.07.2011 at Annexure-B would indicate that petitioner herein had purchased sites bearing Municipal property no.57/3, 57/3A and 57/3C situated at Nellurahalli village, K.R.Pura, Bengaluru South Taluk, which were unrelated to complainant's land. It was submitted that after obtaining interim order of temporary injunction, petitioner had put up compound and subsequently suit was decreed. Since complaint was predominantly filed as a counterblast to orders of



temporary injunction obtained by petitioner, same would be abuse of process and liable to be quashed and on said ground prayed for allowing petition.

4. Learned High Court Government Pleader opposed petition. It was submitted that sale deed at Annexure-B as well as suit filed as per Annexure-C were not in respect of property with reference to which complaint was filed. Merely on ground that there was litigation with regard to some other land would not render suspect a complaint filed by one of parties with regard to some other land suspect and whether complaint was truthful or otherwise would be a matter for investigation and trial and therefore, would not warrant for interference at this stage.

5. Heard learned counsel and perused material on record.

6. This petition is by accused no.1 challenging registration of FIR for offences punishable under Sections 447 and 427 read with Section 34 of IPC insofar as petitioner is concerned.



7. Sole ground is that complaint is a counter blast to suit filed by petitioner as per Annexure-C and order of temporary injunction granted as per Annexure-D. Bare perusal of sale deed at Annexure-B, complaint at Annexure-E and order of temporary injunction at Annexure-D reveal that they are in respect of different lands namely sites in a residential layout formed in lands bearing Sy.nos.57/6, 57/3C, 57/3A and 57/2, whereas allegation of trespass etc., alleged by complainant is with regard to land bearing Sy.no.56/2 of Nellurahalli village. It is settled law that in a petition challenging registration of FIR, Court would not be justified in holding mini trial or examine veracity of complaint which would be a matter for investigation and trial. Challenge at this stage would be premature, when investigation is underway and not yet completed.

8. As such Petition is without merit and is ***dismissed***.

Sd/-
(RAVI V HOSMANI)
JUDGE