



CNR: KAHC010392532019

NC: 2026:KHC:50480
CRL.P No. 4687 of 2019

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 16TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE H.P.SANDESH

CRIMINAL PETITION NO.4687 OF 2019

BETWEEN:

1. SMT. NANDINI,
W/O PRAVEEN T.H.,
AGED ABOUT 33 YEARS,
R/AT F-444, BRIGADE GOLDEN TRIANGLE,
HUSKUR VILLAGE, BIDARIHALLI HOBLI,
KATTANALLUR GATE
BENGALURU-560 049.

...PETITIONER

(BY SRI. NISHAL S. REDDY, ADVOCATE FOR
SRI. KETHAN KUMAR, ADVOCATE)

AND:

Digitally signed
by DEVIKA M
Location: HIGH
COURT OF
KARNATAKA

1. STATE OF KARNATAKA,
BY VIJAYANAGAR POLICES STATION,
REPRESENTED BY STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
BENGALURU-560 001.
2. DR. A.P. MAHALAKSHMAMMA,
W/O LATE BOPPARAYAPPA,
AGED ABOUT 67 YEARS,
NO.1582, 7TH MAIN,
6TH CROSS, HAMPINAGAR,
BENGALURU-560 040.

...RESPONDENTS

(BY SRI. SUHAS GOWDA, HCGP FOR R1;
R2 SERVED - UNREPRESENTED)



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THIS CRIMINAL PETITION IS FILED UNDER SECTION 482 OF CR.P.C PRAYING TO QUASH THE ENTIRE PROCEEDINGS AGAINST THIS PETITIONER (ACCUSED NO.6) PENDING BEFORE THE IV A.C.M.M., BENGALURU, IN C.C.NO.6571/2019 FOR THE OFFENCES PUNISHABLE UNDER SECTIONS 406, 420, 120B R/W SECTION 34 OF IPC AND SECTIONS 6, 7 AND 9 OF CHIT FUNDS ACT.

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

CORAM: HON'BLE MR. JUSTICE H.P.SANDESH

ORAL ORDER

Heard the learned counsel for the petitioner and the learned High Court Government Pleader appearing for respondent No.1/State.

2. The present petition is filed praying this Court to quash the proceedings against the petitioner, who has been arraigned as accused No.6 in C.C.No.6571/2019, for the offences punishable under Sections 406, 420, 120B read with 34 of IPC and Sections 6, 7 and 9 of the Chit Funds Act, 1982.

3. The factual matrix of the case of the complainant is that the complainant is the subscriber of the chit and this petitioner is the part of the chit fund company. The specific allegations are made in the complaint that 5 chits for an



amount of Rs.5,00,000/- was paid by the complainant. But the chit fund company has not paid the payment in terms of the chit transactions and hence, invoked the offences under Sections 406, 420, 120B read with 34 of IPC and Sections 6, 7 and 9 of the Chit Funds Act.

4. The learned counsel for the petitioner would vehemently contend that the very initiation of the proceedings against this petitioner is erroneous and bad in law. The petitioner is in no way connected to the incident as she was no more the Director of Shubhadasri Chits (Karnataka) Pvt. Ltd. as alleged by the complainant in her complaint. The petitioner had long back resigned as the Board of Director. The learned counsel would contend that there are no material against this petitioner as she is no longer Director and continuation of the proceedings against this petitioner will amount to miscarriage of justice. The learned counsel would contend that the charge-sheet is filed by the police without considering the material that this petitioner had already resigned from the company.



5. The learned High Court Government Pleader appearing for respondent No.1/State would submit that the transaction was taken place in the year 2012 and retirement as contended by the petitioner is in 2016. As on the date of transaction, this petitioner was the Director and the same has not been disputed. The learned counsel would submit that having registered the FIR, investigation was made and recorded the statement of CW1 to CW7 and in their statement, they made specific allegations with regard to payment of chit fund amount and the chit fund amount was not repaid and hence, it attracts the ingredients of Sections 420, 406 and 120B of IPC.

6. Having heard the learned counsel for the petitioner and the learned High Court Government Pleader appearing for respondent No.1/State, it is not in dispute that the transaction was taken place in 2011-12. It is very clear that chit fund amount was paid in entirety and the said amount was not repaid. When such allegation is made, the contention of the learned counsel for the petitioner that the petitioner had retired long back cannot be accepted. The material discloses that the petitioner retired in 2016 subsequent to this transaction. When



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such being the case, the very contention of the petitioner counsel cannot be accepted. It is a matter of trial and question of invoking Section 482 of Cr.P.C. does not arise and whatever defence the petitioner has to take, the same shall be taken during the course of trial and in the proceedings under Section 482 of Cr.P.C., the said defence cannot be considered. Hence, the petitioner has not made out any grounds to quash the proceedings.

7. In view of the discussions made above, I pass the following:

ORDER

The petition is dismissed.

Sd/-
(H.P.SANDESH)
JUDGE

MD
List No.: 1 Sl No.: 30