



CNR: KAHC010427592023

NC: 2026:KHC:54081
WP No. 18389 of 2023

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE V SRISHANANDA

WRIT PETITION NO. 18389 OF 2023 (GM-RES)

BETWEEN:

SRI. R. SANTHOSH,
S/O LATE R.S. SHET,
AGED ABOUT 44 YEARS,
R/AT 784/256, SAMRUDHI,
3RD CROSS, NEAR MES CONVENT,
ANJANEYA LAYOUT,
DAVANAGERE - 577 004.

...PETITIONER

(BY SRI. SATISH K., ADVOCATE)

AND:

1. THE STATE BY KARNATAKA LOKAYUKTHA POLICE,
REPRESENTED BY ITS
DEPUTY SUPERINTENDENT OF POLICE,
DAVNAGERE - 577 002.

2. SRI MOHAMMED SAMIHULLA,
S/O LATE IQBAL SAB,
AGED ABOUT 47 YEARS,
R/AT NO.90, B.D. LAYOUT,
2ND MAIN, 2ND CROSS,
MIRZA ISMAIL NAGAR,
DAVNAGERE - 577 002

...RESPONDENTS

(BY SRI. B.B PATIL, ADVOCATE)



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THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA READ WITH SECTION 482 OF THE CRIMINAL PROCEDURE CODE, 1973, PRAYING TO CALL FOR RECORDS FROM THE R1. AND QUASHING THE IMPUGNED COMPLAINT DATED:12/02/2020 GIVEN BY THE R2 TO THE THEN ANTI CORRUPTION BUREAU (NOW TRANSFERRED TO THE R1) (ANNEXURE-A) AND THE IMPUGNED FIRST INFORMATION REPORT REGISTERED BY THE THEN ANTI CORRUPTION BUREAU, DAVANAGERE (NOW TRANSFERRED TO THE R1) IN CRIME NO. 03/2020 DATED 12/02/2020 FOR THE OFFENCE PUNISHABLE UNDER SECTION 7(A) OF PREVENTION OF CORRUPTION ACT, 1988 PENDING ON THE FILE OF HONBLE PRINCIPAL DISTRICT, SESSIONS AND SPECIAL JUDGE, DAVANAGERE DISTRICT, DAVANAGERE (ANNEXURE-B) AND ALL FURTHER PROCEEDINGS PURSUANT THERETO AND ETC.,

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

CORAM: HON'BLE MR. JUSTICE V SRISHANANDA

ORAL ORDER

Heard Sri. Satish.K, learned counsel for the petitioner and Sri.B.B.Patil, learned counsel for respondent No.1.

2. This Petition is filed under Article 226 and 227 of the Constitution of India read with Section 482 of Cr.P.C, 1973, with the following prayer:

*"Pending disposal of the above Writ Petition, the
Petitioner most humbly prays that this Hon'ble Court*



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*may be pleased to '**STAY**' the impugned Complaint dated 12/02/2020 given by the Respondent No.2 to the then Anti Corruption Bureau (now transferred to the 1st Respondent) (**Annexure-A**) and the impugned First Information Report registered by the then Anti Corruption Bureau, Davangere (now transferred to the 1st Respondent) in Crime No.03/2020 dated 12/02/2020 for the offence punishable under Section 7(a) of Prevention of Corruption Act, 1988 pending on the file of Hon'ble Principala District, Sessions and Special Judge, Davangere District, Davangere (**Annexure-B**), including investigation, in the interest of justice and equity."*

3. Petitioner was working as Revenue Inspector in the office of Deputy Commissioner, Davangere. He said to have demanded illegal gratification for a sum of Rs.1,60,000/- from the complainant for the pending work of the second respondent.

4. The bribe amount was negotiated and the conversation is recorded by the complainant on his mobile telephone bearing No. 7019161789.



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5. The conversation was emanated from the mobile telephone of the petitioner bearing No. 9663504004. Finally, the bribe amount was settled at Rs.1,45,000/-. On 11.02.2020, also there was a conversation, that was also recorded.

6. In the entrustment mahazar, however 35 notes of Rs.2,000/- denomination was brought by the complainant to be handed over to the head of the right party for the intended trap. The details of the currency notes like serial number etc., are all recorded in the entrustment mahazar. However, the trap was failed and therefore, case came to registered under Section 7A of the Protection of Corruption Act, 1988. Very registration of the criminal case is called in question in this writ petition.

7. Sri. Satish.K, learned counsel for the petitioner, reiterating the grounds urged in the writ petition, would contend that there is no tally between the conversation and the amount that has been entrusted by the



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complainant to the hands of the head of the raid party, which would expose the hollowness in the case of the prosecution and therefore, sought for quashing the pending FIR.

8. Per contra, Sri. B.B. Patil, learned counsel representing the Lokayukta would support the registration of the FIR and would contend that the matter would be thoroughly investigated and suitable report would be filed.

9. Second respondent/de-facto complainant is served with the notice in this petition and remained absent.

10. Having heard the arguments of both sides, this Court perused the material on record meticulously.

11. On such perusal of the material on record, conversation recorded on the mobile telephone, which was reduced into writing and forms part of the entrusted mahazar, which would be sufficient enough for the



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registration of the FIR under Section 7A of the Prevention of Corruption Act, 1988.

12. What is the approach of a High Court in a matter of this nature especially, when the FIR is sought to be quashed is no longer res integra.

13. Hon'ble Apex Court in the case of **STATE OF KARNATAKA AND ANOTHER vs PRABHU SHANKAR AND ANOTHER** reported in **2026 SCC Online, SC 1446**, has ruled that the High Court should maintain a hands-off approach in respect of quashing of the complaint and FIR in respect of the offences under the Provisions of Prevention of Corruption Act.

14. Applying the principles of law enunciated in the aforesaid judgment to the facts of the case, entrustment mahazar and other material on record would be sufficient enough to proceed with the investigation.



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15. Accordingly, the following:

ORDER

- i. Petition is ***dismissed***.
- ii. However, petitioner is at liberty to challenge the adverse report, if any, in accordance with law.

**Sd/-
(V SRISHANANDA)
JUDGE**

PK
List No.: 1 Sl No.: 47