



CNR: KAHC010480242021

NC: 2026:KHC:55688
WP No. 23327 of 2021

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 5TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE V SRISHANANDA

WRIT PETITION NO. 23327 OF 2021 (GM-RES)

BETWEEN:

CHANDRASHEKARA T P
S/O PUTTEGOWDA
AGED ABOUT 28 YEARS
WORKING AS FRONT LINE SALES OFFICER
AT L AND T FINANCE LIMITED
HAVING IF OFFICE AT
CHANDRANATHA BUILDING
KHB COLONY, CHANNAPATANA
HASSAN -573201

...PETITIONER

(BY SRI. VASUDEVAN H N, ADVOCATE)

AND:

1. STATE OF KARNATAKA
REPRESENTED BY
BELUR POLICE STATION
HASSAN DISTRICT
REPRESENTED BY ITS
STATE PUBLIC PROSECUTOR
HIGH COURT BUILDING
DR.B.R.AMBEDKAR VEEDHI
BENGALURU – 560 001
2. SMT. BALKIS BEGUM
W/O SHABBIR AHAMED
AGED ABOUT 39 YEARS
R/AT HOUSE NO.110
INDIRA BADAVANE
H K POST, CHIKKAMAGALURU TOWN

Digitally
signed by R
MANJUNATHA
Location:
HIGH COURT
OF
KARNATAKA



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CHIKKAMAGALURU - 577101

...RESPONDENTS

(BY SMT.WAHEEDA.M.M, HIGH COURT GOVERNMENT PLEADER
FOR R1;

R2 -SERVED)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA R/W SECTION 482
CODE OF CRIMINAL PROCEDURE PRAYING TO CALL FOR
RECORDS AND QUASH THE FIR REGISTERED NO.245/2019
REGISTERED BY THE R1 BEFORE THE HON'BLE COURT OF THE
PRINCIPAL CIVIL JUDGE (SR.DVISION) AND JMFC, BELUR AS
PER THE IMPUGNED FIR AT ANNEXURE-A AND THE
SUBSEQUENT CHARGESHEET BEARING NO.28/2020 DATED
03.03.2020 IN C.C.NO.245/2019 AT ANNEXURE-D AS AGAINST
THE PETITIONER/ACCUSED NO.3 FOR ALLEGED OFFENCE
PUNISHABLE U/S 143, 504, 323, 341, 506, 149 OF THE INDIAN
PENAL CODE.

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

CORAM: HON'BLE MR. JUSTICE V SRISHANANDA



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ORAL ORDER

Heard Sri Vasudevan H.N., learned counsel for the petitioner and Smt.Waheeda M.M., learned High Court Government Pleader for respondent No.1.

2. Petitioner is the accused No.3 in CC No. 231 of 2020, facing the charges for the offences punishable under Section 504, 323, 354, 341 and 143 read with Section 149 of Indian Penal Code.

3. Second respondent filed a complaint with Belur Police, Hassan District on 24.12.2009, which was registered in Crime No. 245/2019.

4. Gist of the complaint averments would reveal that the complainant and her friend Gunavanth, Jayanti, Sabir Ahmad were proceeding in a autorickshaw near Kanaikanahalli, persons belonging to BSS Micro Finance, Gramina Koota and LNT Finance, came in two autorickshaws and two motorcycles and intercepted the movement of the autorickshaw where the complainant and others were proceeding after attending the meeting on 24.04.2019 near the Belur Temple and abused the inmates of the autorickshaw of the complainant and they pulled



CNR: KAHC010480242021

NC: 2026:KHC:55688
WP No. 23327 of 2021

their hairs and removed the veil on their body and they also assaulted.

5. Police after thorough investigation filed charge sheet as aforesaid and present petitioner has been shown as accused No.3.

6. Sri. Vasudevan H.N., counsel for the petitioner has challenged the order taking cognizance on the ground that there is no material on record which has been collected by the Investigation Agency to arraign the present petitioner as an accused whose name was not found in the First Information Report.

7. He would further contend that there is no test identification parade that has been conducted and if the complainant and other injured persons who were travelling in the autorickshaw along with the complainant have seen the incident which had lasted not more than five minutes, how would they be in a position to identify the present petitioner as an accused. As such, sought for quashing the charge sheet.

8. Smt. Waheeda M.M., learned High Court Government Pleader however tried to justify the filing of the



CNR: KAHC010480242021

charge sheet by contending that there are statements which lead to filing of the charge sheet against the present petitioner and there is no bar that charge sheet cannot be filed against a person whose name doesn't appear in the First Information Report and thus sought for dismissal of the petition.

9. Having heard the arguments of both sides this Court perused the material on record meticulously including the statements of the witnesses who have been cited in the charge sheet.

10. Admittedly, the incident has occurred when the complainant and three others were proceeding towards Chikkamagalur in an autorickshaw after attending a meeting in the Belur Temple. The incident occurred at Kanaikanahalli.

11. In the autorikshaw where the complainant and others were proceeding was intercepted and the altercation has taken place. Even according to the complaint averments, about five to six persons from LNT Finance and four to five persons from BSS Miscro Finance were present in the incident and they are the persons who pulled the hairs and removed the chudidhar



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WP No. 23327 of 2021

veil and thereby offence has been committed and assaulted with hands.

12. Admittedly, name of the petitioner does not find place in the First Information Report and there is no other connecting material to establish that it is the petitioner who indulged in such incident as on the date of incident.

13. Under such circumstances, proceeding the case against the present petitioner would be nothing but futile exercise and abuse of process of law as he is only an employee of LNT Finance.

14. Accordingly, a case is made out for quashing the pending First Information Report insofar as the present petitioner is concerned.

15. Accordingly, following:

ORDER

- (i) Petition is ***allowed.***
- (ii) Pending proceedings insofar as the present petitioner is concerned in Cr.No.245/2019 of Belur Police Station is hereby quashed.



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WP No. 23327 of 2021**

(iii) However, quashing of the petition insofar as the present petitioner is concerned shall not come in the way of prosecution proceedings against the remaining accused persons in accordance with law."

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

MR
List No.: 1 SI No.: 42
CT:VRR