



CNR: KAHC010562132019

NC: 2026:KHC:41649
CRL.P No. 321 of 2020
C/W CRL.P No. 116 of 2020

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 6TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE RAVI V HOSMANI

CRIMINAL PETITION NO. 321 OF 2020

C/W

CRIMINAL PETITION NO. 116 OF 2020

IN CRL.P.321/2020:

BETWEEN:

SRI KAMAL SINGH SINGAL
S/O LATE BELI RAM,
AGED ABOUT 56 YEARS,
R/AT NO.1319, 1ST FLOOR,
SECTOR NO.16-17
NEAR SPRING FIE,
HISSAR, HARYANA - 125 047.

...PETITIONER

(BY SRI SUPREETH S., ADVOCATE FOR
SRI ABHINAY Y.T., ADVOCATE)

AND:

1. STATE OF KARNATAKA
YESHWANTHPUR POLICE STATION,
REPRESENTED BY SPP,
HIGH COURT OF KARNATAKA BUILDING,
BANGALORE 560 001.
2. SRI V R ANJANEYA REDDY
S/O LATE RAMA REDDY,
AGED ABOUT 63 YEARS,
R/AT ANJANEYA NIVAS APARTMENT,
5TH FLOOR, PENT HOUSE,
3RD CROSS, SANDAGAPPA LAYOUT,

Digitally signed
by ANUSHA V
Location: High
Court of
Karnataka



CNR: KAHC010562132019

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CRL.P No. 321 of 2020
C/W CRL.P No. 116 of 2020

ST ANTHONY'S CHURCH MAIN ROAD,
MARIYANNA PALYA,
BANGALORE - 560 024.

...RESPONDENTS

(BY SMT.SOWMYA R., HCGP FOR R1)

THIS CRL.P IS FILED U/S.482 CR.P.C., PRAYING TO QUASH
THE FIRST INFORMATION REPORT REGISTERED AGAINST THE
PETITIONER IN CR.NO.268/2019 BY THE RESPONDENT POLICE
(THAT IS YESHWANTHUPUR POLICE STATION) FOR ALLEGED
COMMISSION OF OFFENCE P/U/S.379 AND 420 R/W SEC.34 OF IPC.

IN CRL.P.116/2020:

BETWEEN:

C.KUNDANADANA REDDY,
S/O LATE C. VENKATA REDDY,
AGED ABOUT 54 YEARS,
R/A FLAT NO.101,
SLV "SHRESTA RESIDENCY",
KRISHNA NORTH VILAR,
2ND CROSS, RAMACHANDRAPURA,
BENGALURU - 560 013.

...PETITIONER

(BY SRI KUSHAL GOWDA., ADVOCATE)

AND:

1. STATE OF KARNATAKA
YESHWANTHPUR POLICE STATION,
REPRESENTED BY SPP,
HIGH COURT OF KARNATAKA BUILDING,
BANGALORE 560 001.
2. SRI V R ANJANEYA REDDY
S/O LATE RAMA REDDY,
AGED ABOUT 63 YEARS,
R/AT ANJANEYA NIVAS APARTMENT,
5TH FLOOR, PENT HOUSE,
3RD CROSS, SANDAGAPPA LAYOUT,



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ST ANTHONY'S CHURCH MAIN ROAD,
MARIYANNA PALYA,
BANGALORE - 560 024.

...RESPONDENTS

(BY SMT.SOWMYA R., HCGP FOR R1;
SRI VARUN PAPIREDDY, ADVOCATE FOR R2)

THIS CRL.P IS FILED U/S.482 CR.P.C., PRAYING TO QUASH THE FIRST INFORMATION REPORT REGISTERED AGAINST THE PETITIONER IN CR.NO.268/2019 BY THE RESPONDENT POLICE (THAT IS YESHWANTHUPUR POLICE STATION) FOR ALLEGED COMMISSION OF OFFENCE P/U/S.379 AND 420 R/W SEC.34 OF IPC.

THESE PETITIONS ARE COMING ON FOR *ADMISSION*, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE RAVI V HOSMANI

ORAL ORDER

Challenging registration of FIR in Crime no.268/2019 on a complaint filed by respondent no.2 for offences punishable under Sections 379 and 420 of Indian Penal Code, 1860 (**IPC**) read with Section 34 of IPC, these petitions are filed. Crl.P no.361/2020 is filed by accused no.1 and Crl.P no.116/2020 is filed by accused no.2.

2. Sri Kushal Gowda, learned counsel appearing for Sri Abhinay YT., learned counsel for petitioner in Crl.P no.116/2020 submitted that petitioners were accused no.1 and



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C/W CRL.P No. 116 of 2020

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2 in a complaint filed by respondent on 30.10.2019 stating that complainant was a resident of Mathikere, Yeshwanthapura and running Cable Business under name 'M/s.Sharp Cable Communications' at Mathikere. That in year 2013, petitioner in Crl.P no.116/2020 (for sake of convenience, reference will be confined to this petition) approached complainant by stating that he was a retired Army person and was looking for a job. On consideration, he was appointed as Car Driver-cum-Office Assistant. Subsequently after joining, petitioner acted as a trusted person of complainant and was assigned with financial, business as well as personal responsibilities. However, taking undue advantage of liberal attitude of complainant, petitioner was alleged to have taken away documents relating to site of complainant at Mathikere as well as Cheques without knowledge of complainant. In 2017, complainant had directed petitioner to stop coming to his office and residence as he was found to be involved in heavy money laundering business by using cable office. It was further stated that initially complainant was under impression that original documents of his site and cheques were lost during house shifting. But after receipt of legal notice dated 01.06.2019 and 31.07.2019 issued



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C/W CRL.P No. 116 of 2020

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by Kundanandana Reddy (accused no.1) and Kamal Singh Singal (accused no.2), complainant realised that petitioner had stolen cheques and had wrongful custody of documents and also that he had forged complainant's signature and created advance receipt. It was alleged that accused had indulged in wrongful and illegal activities and with deceitful intention of extracting money and for making wrongful gain, stolen Cheques and forged documents and filed false civil and criminal cases in Bengaluru and Haryana Courts. It was also stated that complainant realised about petitioner being a Rowdy Sheeter and had filed a false cheque bounce case against complainant in Haryana. Apprehending that there was likely to be further abuse of other cheques that might be available with accused, complainant sought for initiation of action. Complaint was registered as Crime no.268/2019 by Yeshwanthapura Police Station. Assailing same, these petitions are filed.

3. It was firstly submitted that present complaint filed on 30.10.2019 was nothing but a counterblast against proceedings initiated by petitioners under provisions of Negotiable Instruments Act, 1881 (**NI Act**). It was submitted



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C/W CRL.P No. 116 of 2020

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that very contents of complaint would indicate that it was filed after receipt of legal notices got issued by petitioners-accused. Fact that complaint was filed about three months after receipt of legal notices would also indicate that it suffered from afterthought.

4. It was also sought to be contended that in reply to statutory notice got issued by petitioners in proceedings under NI Act, complainant had taken contradictory contentions. On one hand, contending that cheques were lost and on other alleging that accused had forcibly got complainant to execute cheques and in impugned complaint stating that cheques were lost during shifting of house. It was submitted that grave inconsistency and variation of statements in complaint would also substantiate afterthought. On said ground, sought for quashing of FIR.

5. Smt.Sowmya R., learned HCGP for respondent-State would oppose petitions. It was submitted that complaint averments contained essential ingredients for offences alleged. It was submitted that signed cheques were kept in office were lost and later found to have been stolen by accused and



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CRL.P No. 321 of 2020
C/W CRL.P No. 116 of 2020

allegation of taking away original site documents and issuing legal notice by claiming to be agreement holder would substantiate offences under Sections 379 and 420 of IPC and as such, no interference was warranted.

6. Heard learned counsel and perused material on record.

7. These petitions are by accused no.1 and 2 challenging registration of FIR for offences punishable under Sections 379 and 420 of IPC.

8. Hon'ble Supreme Court in case of **Anukul Singh v. State of U.P.**, reported in **2025 SCC OnLine SC 2060**, has held in a challenge of FIR, scope for examination by Court under Section 482 of CrPC would be confined to verifying from complaint averments whether essential ingredients of offence were made out.

9. As noted above, offences invoked against accused herein are those punishable under Sections 379 and 420 of IPC. Section 379 of IPC provides punishment for theft. Essential ingredients of which would be dishonest removal of property



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CRL.P No. 321 of 2020
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out of possession of a person without that person's consent. Allegation that without knowledge or consent of complainant, cheque leaves and site documents kept in office of complainant were taken away would *prima facie* imply said offence. Allegation that taking away of cheque leaves and title documents of site with intention to stake claim of title over immovable property as well as claiming money due on basis of cheque would *prima facie* form essential ingredients for offence under Section 420 of IPC.

10. Though *prima facie* there appear to be inconsistent stand insofar as drawing and issuance of cheque, there cannot be mini trial under Section 482 of CrPC as criminal proceedings are at inception stage. Inconsistency of plea and veracity of complaint assertions would be matter for investigation and trial. Examination by this Court has to be to ascertain whether on plain reading of entire contents of complaint, with nothing added or removed, commission of an offence is disclosed, which on perusal of complaint appear satisfied.



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C/W CRL.P No. 116 of 2020

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11. Reserving liberty to petitioners to urge contentions
at appropriate stage, petitions stand ***dismissed***.

Sd/-
(RAVI V HOSMANI)
JUDGE

AV
List No.: 1 SI No.: 14