



CNR: KAHC010550212025

NC: 2026:KHC:49782
CRL.P No. 11990 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 11TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

CRIMINAL PETITION NO. 11990 OF 2025

(482(Cr.PC) / 528(BNSS)-)

BETWEEN:

1. SRI SANTHOSH H S
S/O. LATE SRI. T.P. HANUMNATHAIAH,
AGED ABOUT 47 YEARS,
APARTMENT NO. 302, 2ND FLOOR,
JJ. APARTMENTS,
1306/34, 2ND CROSS,
24TH MAIN, KHB COLONY,
BASAVESHWARANAGAR,
BENGALURU -560 079

ALSO AT
PUTTAIAH BUILDING, B H ROAD,
VINOBHA NAGARA, NEAR GANAPATHI TEMPLE,
TUMKUR-572101

2. T.S.RAGHAVENDRA GUPTA,
S/O. LATE SRI. T.L. SURAPPA SETTY,
AGED ABOUT 44 YEARS
APARTMENT NO. 202, 1ST FLOOR,
JJ. APARTMENTS,
1306/34, 2ND CROSS,
24TH MAIN, KHB COLONY,
BASAVESHWARANAGAR,
BENGALURU -560 079

Digitally signed
by SHWETHA
RAGHAVENDRA
Location: HIGH
COURT OF
KARNATAKA

...PETITIONERS

(BY SRI. ANAND R.V.,ADVOCATE)

AND:

1. STATE OF KARNATAKA



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BY GOVINDARAJA NAGAR PS
BENGALURU-560040
REP BY
STATE PUBLIC PROSECUTOR OFFICE,
ATTACHED TO
HIGH COURT BUILDING
BENGALURU -560001

2. SMT.SHAMALA.B.G
W/O.SANJAY NAGARKAR.N
AGED ABOUT 38 YEARS
FLAT NO. 102, JJ. APARTMENTS,
NO. 1306 2ND CROSS,
GOVINDARAJA NAGAR
BENGALURU-560040

...RESPONDENTS

(BY SRI. .,ADVOCATE)

THIS CRIMINAL PETITION IS FILED UNDER SECTION 482 CR.P.C (U/S 528 BNSS) PRAYING TO QUASH THE FIR REGISTERED IN CR.NO.318/2025 BY THE 1st RESPONDENT POLICE IN GOVINDARAJA NAGAR P.S., FOR THE OFFENCES P/U/S 74,352,351(2),351(3) R/W 3(5) OF BNS AGAINST THE PETITIONERS AND SAME IS PENDING ON THE FILE OF XXIV ACMM, BENGALURU, IN THE INTEREST OF JUSTICE AND ETC.

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

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. The petitioners are before this Court seeking for the following reliefs:

a. To quash the FIR registered in Crime. No.318/2025 by the 1st respondent police (Govindaraja Nagar Police Station) for the offences p/u/s. under section 74, 352, 351(2), 351(3) r/w



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3(5) of BNS against the petitioners and same is pending on the file of XXIV ACMM Bengaluru, in the interest of justice.

b. Pass such other orders as deems to fit under the facts and circumstances of the case.

2. Respondent No.2 had lodged a complaint on 9.08.2025 which was registered as Crime No. 318 of 2025 by the Govindaraja Nagar Police Station. It is challenging the same, the petitioners are before this point.
3. Pertinent to note that the challenge is to the FIR. Investigation has not been completed. The allegation made by respondent No. 2 is that on 09.08.2025 at 9.30 a.m. when there was no power, she came out at 10.30 a.m. and noticed that the fuse from the meter box was unplugged and hence, requested BESCO to come and fix the fuse, but BESOM persons refused to come as it was not their work and if someone had removed the fuse, they could not fix it and they were also scared to come because petitioner No.1 had threatened them with filing false complaints with their higher officers. Respondent No.2 alleges that when she tried to fix the fuse by herself, she was unable to do so and at that time the



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petitioner abused her and touched her in an inappropriate manner, pulled her hand and threatened her life, and had also called other people in the apartment complex and harassed her. It is in that background that the complaint was filed.

4. In the complaint, it is further alleged that she had earlier filed a complaint on 29.05.2025 for troubling in the renovation work being carried on in her apartment, when the police had advised the petitioner not to trouble her, pursuant thereto several suits have also been filed as regards the renovation work which is being carried on in the apartment complex and on that basis, action is requested to be taken.
5. Learned counsel for the petitioners submits that the petitioners had also filed a complaint on 30.05.2025 as regards the damage which had been caused to the property, the sewage pipes, water pipes and the breaking open of the common utility areas, which was not accepted by the Respondent-police stating that the dispute is civil in nature.



6. His submission is that several suits have been filed by the petitioner and the other residents of the apartment as regards the renovation works being carried on by respondent No.2, where an order of status quo has been granted in those suits. He submits that complaints have been filed by the other owners of the apartment stating that despite the orders passed in the trial Court, respondent No.2 and her husband are continuing with the activities, carrying out the renovation work, damaging the common areas and common amenities of the apartment complex. He therefore submits that the present complaint is a counter blast to the said suits which are already pending where a status quo has been passed and as such, submits that the dispute being civil in nature requires the FIR/proceedings to be quashed.
7. Learned counsel for the respondents submits that there are several issues between the apartment owners. The petitioners have been troubling the respondents in their renovation work and abused respondent No.2 and her husband and has also touched respondent No.2



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inappropriately and it is for that reason that the complaint has been filed.

8. At the outset, this Court would have to observe that the petitioner and respondent No. 2 are residents of an apartment complex. It is required for people residing in an apartment complex to have a community living and to live with each other in a decorous and proper manner. Apparently, that is not the case here between the petitioners and respondent No.2, each of them making allegations against the other. Despite having mentioned the above to both the counsel, it appears that they are not interested in resolving their dispute but would want to go ahead with the criminal complaint which has been filed by each of them against the other, as also the litigations which are pending in the Civil Courts.
9. The allegation made by the petitioner by respondent No.2 in the complaint whether true or not would have to be ascertained during the course of investigation. The allegation made by the petitioners and the other apartment owners in their complaint would also have to



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be ascertained during the course of investigation. Insofar as the complaint which has been submitted by the petitioner, NCR has been issued by the respondents, but considering that there are allegations and counter allegations against each other, this Court is of the considered opinion that the complaints filed by the petitioner and the other apartment owners would also have to be taken into consideration while carrying out investigation in Crime No. 318 of 2025 registered at the instance of the respondent No.2. In that view of the matter, this Court does not deem it fit to interfere in the present matter when there are allegations and counter allegations requiring investigation. As such, directing respondent No.1-police to investigate all the complaints filed by all the parties against each other, the petition stands ***dismissed***.

10. The benefit of the interim order is extended by a period of two weeks to enable the petitioners to re-file the bail



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application which has been withdrawn on account of the
stay granted by this Court.

Sd/-
(SURAJ GOVINDARAJ)
JUDGE

LN
List No.: 1 Sl No.: 52