



CNR: KAHC010571052026

NC: 2026:KHC:48803
WP No. 26254 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 8TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE V SRISHANANDA

WRIT PETITION NO.26254 OF 2026(GM-RES)

BETWEEN:

SMT. NIVEDITHA C P
W/O SRI MAHESH KUMAR
AGED ABOUT 39 YEARS,
RESIDING AT HOUSE NO.2518
FIRST FLOOR,
27TH CROSS, 17TH MAIN,
BANASHANKARI II STAGE
BENGALURU - 560 070

...PETITIONER

(BY SRI SHREYAS.S FOR
SRI. MILASH ARROL NORONHA, ADVOCATES)

AND:

1. STATE OF KARNATAKA
BY BANASHANKARI POLICE STATION,
9TH MAIN ROAD, THYAGARAJA NAGAR
BANASHANKARI, BENGALURU - 560070
REP. BY THE STATE PUBLIC PROSECUTOR
HIGH COURT OF KARNATAKA
BENGALURU - 560001
KARNATAKA
2. SMT. SINDHU R
W/O SRI SHIVRAJ,
AGED ABOUT 33 YEARS,
RESIDING AT HOUSE NO.2518,
27TH CROSS, 17TH MAIN,
BANASHANKARI II STAGE.

Digitally
signed by R
MANJUNATHA
Location:
HIGH COURT
OF
KARNATAKA



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BENGALURU - 560070
KARNATAKA

...RESPONDENTS

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

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 QUASH THE F.I.R IN CRIME NO.0083/2026 REGISTERED AT BANASHANKARI POLICE STATION, BENGALURU AGAINST THE PETITIONER FOR THE OFFENCES PUNISHABLE UNDER SECTIONS 115(2), 118(1), 351(2), 352, 329(4), 49 R/W 3(5) OF THE BHARATIYA NYAYA SANHITHA, 2023 VIDE ANNEXURE-A AND ETC.,

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

CORAM: HON'BLE MR. JUSTICE V SRISHANANDA

ORAL ORDER

Heard Sri Shreyas S., learned counsel for the petitioner, Smt. Waheeda M.M., learned High Court Government Pleader for respondent No.1 and Sri Milash Arrol Noronha, learned counsel for the respondent No.2.

2. Petition under Article 226 and 227 of the Constitution of India r/w Section 482 of Code of Criminal Procedure with the following prayer:



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"Issue a writ of Certiorari to quash the FIR in Crime No.0083/2026 registered at Banashankari police station, Bengaluru against the petitioner for the offences punishable under sections 115(2), 118(1), 351(2), 352, 329(4), 49 r/w 3(5) of the Bharatiya Nyaya Sanhitha, 2023."

3. Facts in the nutshell which are utmost necessary for disposal of the present petition are as under.

4. Second respondent Sindhu R, wife of Shivraj filed a written complaint with Station House Officer, Banashankari Police Station, Bengaluru. Based on which, jurisdictional Police have registered a case in Crime No.83/2026 on 22.04.2026 for the offences punishable under Sections 115(2), 118(1), 351(2), 352, 329(4), 49 r/w Section 3 (5) of the Bharatiya Nyaya Sanhitha, 2023.

5. Gist of the complaint averments would reveal that the accused persons visited the house of the complainant at about 01.30 p.m. on 22.04.2026 and the petitioner namely; Nivedita along with Vishalakshi and Radha illegally gained entry inside the house of the complainant.

6. Complainant enquired them as to why they have come and what is the purpose.



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7. At that juncture, all of a sudden, the group assaulted the complainant with a metal rod and twisted the hand of the complainant and they assaulted on her head as well. She lost the consciousness.

8. Later on, she came to know that Pavan, Dushyanth, Bhanu Prakash had sent three ladies. It is also found from the complaint averments that the petitioner and her mother Kamakshi and her husband Mahesh Kumar were also behind the said illegal act and in the assault, petitioner had played a major role and the action of petitioner was supported by Pavan and Dushyanth.

9. It is also found from the complaint averments that during the incident, present petitioner has used filthy words. There was a threat for a rape and murder during the incident.

10. Police based on the complaint, having registered the case are investigating the matter.

11. In the present petition, very registration of the case is challenged on the ground that the entire incident as alleged in the complaint itself is incorrect and it is fictitious.



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12. It is further contented that there is no specific overt act attributed to the petitioner and she has been falsely implicated in the incident.

13. The complaint came to be filed with mala fide intention.

14. There is also a ground made out that civil suits are pending and in order to gain upper hand in the pending civil suits, false complaint has been filed. Thus, sought for quashing of the complaint.

15. Learned High Court Government Pleader supports the registration of the first information report and submits that investigation is required to be conducted in the case to unearth the truth and if there is any adverse report against the petitioner, petitioner may challenge the same in accordance with law and it is too premature for this Court to hold that the entire complaint itself is false.

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



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17. On such perusal of the material on record, it is noted that Petitioner is the resident of the very same building where the complainant is residing in the first floor.

18. Petitioner claims that the CCTV footage on the day of alleged incident would make it clear that the petitioner was not present at the time of incident. Therefore, she has been falsely implicated in the case.

19. If it is so, it is for the petitioner to furnish the CCTV footage to the Investigating Agency and cooperate with the Investigation Agency and make out that she had nothing to do with the alleged incident.

20. Fact remains that based on the written complaint jurisdiction police have registered the case and are investigating the matter.

21. It is too premature for this Court at this stage to form an opinion that in order to gain upper hand in the pending civil litigation, false complaint has been filed.

22. In fact there is already a criminal complaint filed against the father of the complainant which is now pending for investigation and appropriate report.



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23. As such, this Court does not find any grounds whatsoever, much less good grounds to quash the pending first information report.

24. Hence, following:

ORDER

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

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

MR
List No.: 2 Sl No.: 10