**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

DATED THIS THE 16TH DAY OF DECEMBER, 2020

BEFORE:

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

**CRIMINAL PETITION NO.5771 OF 2020**

**BETWEEN**:

1. SMT. ANURADHA PADIYAR
   @ MIRA PADIYAR
   W/O N.M.PADIYAR
   AGED ABOUT 59 YEARS
   R/A FLAT NO.16, CANARA BANK APPTS
   SOUTH END CIRCLE
   BASAVANAGUDI
   BENGALURU-560 011.

2. SRI. SUHAS RAO
   S/O SURESH RAO
   AGED ABOUT 41 YEARS,

3. SMT. GAURI SUHAS RAO
   W/O SUHAS RAO
   AGED ABOUT 35 YEARS

PETITIONER NOS.2 & 3 ARE R/AT
NO.17-13-1072/1, LEELA PALACE
FLAT NO.G-1, B V ROAD, KMC ATTAVAR
MANGALORE, DAKSHINA KANNADA
MANGALORE-575 001. … PETITIONERS

[BY SRI.Y.R. SADASHIVA REDDY SR.COUNSEL FOR
SRI. RAHUL S REDDY, ADV.]

**AND**:

1. THE STATE BY THILAKNAGAR P.S.
   REP.BY SPP,
   HIGH COURT OF KARNATAKA
   BANGALORE-560 001.

2. SRI. S.SURESH
S/O J.SELVARAJ
AGE MAJOR
R/A NO.26/A, 1ST MAIN
SRK GARDEN JAYANAGAR
4TH 'T' BLOCK, BANNERGHATTA EXTN.,
BENGALURU-560 041. … RESPONDENTS

[BY SRI. K.NAGESHWARAPPA, HCGP]

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THIS CRIMINAL PETITION IS FILED UNDER SECTION 482 OF CR.P.C. PRAYING TO QUASH THE ENTIRE PROCEEDINGS/CHARGE SHEET WITH RESPECT TO PETITIONER IN C.C. NO.14629/2016 BEFORE II ADDL. CHIEF METROPOLITAN MAGISTRATE AT BENGALURU CITY REGISTERED BY THE THILAKNAGAR POLICE STATION FOR THE OFFENCE P/U/S 34, 420, 465, 468, 471 OF IPC.

THIS CRIMINAL PETITION COMING ON FOR ORDERS, THROUGH VIDEO CONFERENCE, THIS DAY, THE COURT MADE THE FOLLOWING:

**ORDER**

The petitioner is before this Court seeking for quashing of the proceedings and the charge-sheet filed in C.C. No.14629/2016, now pending on the file of the II Addl. C.M.M., Bengaluru City, for the offences punishable under Sections 420, 465, 468, 471 r/w. 34 of IPC.

2. A complaint came to be filed on 08.01.2014 by respondent No.2 alleging that at the instance of the petitioners and/or their of introduction, a sum of

Rs.26,56,000/- was paid to one Dhananjay in order to procure 'G-category' site to be allotted by the Bangalore Development Authority. Despite receipt of the said amount and further amount of Rs.5,00,000/- again at the instance of the petitioners herein, the said site was not got allotted. Hence, requested to take action against the petitioners herein. Upon enquiry, charge-sheet has been laid by implicating the petitioners in the said offences.

3. Sri. Madhav B.Kashyap, learned counsel appearing for the petitioners submits that the petitioners have nothing to do with the transaction with respondent No.2 and the aforesaid Dhananjay, he is not introduced by petitioners to respondent No.2. Petitioner Nos.2 and 3 are residing in Mangaluru and they are not in Bengaluru and nothing to do with the said transaction. He further submits that petitioner Nos.2 and 3 being residents of Mangaluru, attending the proceedings in Bengaluru would cause grave harm and injury as also inconvenience and as such, he seeks for quashing of the proceedings.

4. A perusal of the complaint would indicate that serious allegations have been made against the petitioners herein and overt-acts attributed against them, investigation has been completed and a charge-sheet has been laid, where under the allegations have been supported by respondent No.2 by way of statement as also that of the victim/complainant.

5. In view of the same, I am of the considered opinion that there are no grounds made out by the petitioners to exercise power under Section 482 of Cr.P.C. for quashing of the proceedings and as such, reserving all defence of the petitioners as alleged in the above petition which are required to be placed before the court during the course of trial, petition is dismissed.

In view of dismissal of the petition, I.A. No.1/2020 filed for stay does not survive for consideration and stands dismissed.

Sd/-
**JUDGE**

Ksm*