HC-KAR
NC: 2026:KHC:59789
CRL.P No. 3742 of 2020
CNR: KAHC010063672020

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE H.P.SANDESH

CRIMINAL PETITION NO.3742 OF 2020

BETWEEN:

1. M. NANJAPPA
S/O LATE MUNISHAMAPPA
DEAD BY LRS

1(a) RATHNAMMA
W/O NANJAPPA
AGED ABOUT 65 YEARS
R/O DHARMAPURA VILLAGE
VIJAYPURA HUBLI
DEVANAHALLI TALUK
BENGALURU RURAL-562110

1(b) KESHAVA N.,
S/O NANJAPPA
AGED ABOUT 34 YEARS
DHARMAPURA, MANDIBELE
BENGALURU RURAL-562135

Digitally signed by DEVIKA M
Location: HIGH COURT OF KARNATAKA

1(c) MANJULA
D/O NANJAPPA
AGED ABOUT 42 YEARS
NEW BUS STAND ROAD
VIJAYAPURA
BENGALURU RURAL-562110.

1(d) ROOPA N.,
W/O CHANNAMARIGOWDA C
AGED ABOUT 37 YEARS

R/O MALLASANDRA
BYARANAHALLI
KOLAR-563130.

1(e) N. NETHRAVATHI
W/O B. MANJUNATH
AGED ABOUT 39 YEARS
NO.37, BIJJAWARA
BENGALURU RURAL-562110.

1(f) SHARADA N
W/O SURESH M.C.
AGED ABOUT 30 YEARS
MALLASANDRA
BYRANAHALLI
KOLAR-563130.

(AMENDED VIDE COURT ORDER DATED 29.09.2026)

…PETITIONERS

(BY SRI. PRASAD B.S., ADVOCATE - ABSENT)

AND:

1. SMT. PADMAMMA
W/O LATE NAGARAJAPPA
AGED ABOUT 40 YEARS
R/O DHARMAPURA VILLAGE
VIJAYAPURA HOBLI
DEVANAHALLI TALUK
BENGALURU RURAL-562110.

2. SRI. DEEPAK
S/O LATE NAGARAJAPPA
AGED ABOUT 32 YEARS
R/O DHARMAPURA VILLAGE
VIJAYAPURA HOBLI
DEVANAHALLI TALUK
BENGALURU RURAL-562110

3. SRI. M. NAGARAJU
S/O LATE MUNISHAMAPPA
AGED ABOUT 55 YEARS
R/O DHARMAPURA VILLAGE
VIJAYAPURA HOBLI
DEVANAHALLI TALUK
BENGALURU RURAL-562110

4. SRI. BASAVARAJU
S/O LATE H. MUNIYAPPA
AGED ABOUT 43 YEARS
R/O DHARMAPURA VILLAGE
VIJAYAPURA HOBLI
DEVANAHALLI TALUK
BENGALURU RURAL-562110

…RESPONDENTS

(BY SRI. SHANKAR H.S., ADVOCATE FOR R1, R2 AND R4;
SRI. S.P.BABAJAN, ADVOCATE FOR R3)

THIS CRIMINAL PETITION IS FILED UNDER SECTION 482 OF CR.P.C PRAYING TO QUASH THE ORDER DATED 29.11.2019 PASSED BY THE ADDITIONAL CIVIL JUDGE AND JMFC, DEVANAHALLI IN PCR.NO.14/2019.POST THIS CRL.P BEFORE COURT FOR ADMISSION.

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

CORAM: HON'BLE MR. JUSTICE H.P.SANDESH

ORAL ORDER

Learned counsel for the petitioners is absent and this matter is called twice in the morning and also in the afternoon and no representation on both the occasions and no compliance of the principles laid down in the judgment of the Apex Court in

Priyanka Srivastava's case. The counsel for the petitioners also took time on the last occasion to enlighten this Court with regard to remanding the matter for fresh consideration and no such principle is laid down in the judgment of the Apex Court in ***Priyanka Srivastava's*** case and also subsequent judgment of Apex Court.

2. Hence, question of remanding the matter does not arise, in view of non-compliance under Sections 154(1) and 154(3) and also no affidavit is filed in support of the complaint. The proceedings initiated against the respondents is not sustainable in the eye of law and there is a foundational defect in initiating the proceedings against the respondents when the private complaint was filed.

Hence, the criminal petition is ***dismissed.***

Sd/-
(H.P.SANDESH)
JUDGE

ST
List No.: 1 Sl No.: 9