HC-KAR

NC: 2026:KHC:59854
WP No. 6927 of 2025
C/W WP No. 3427 of 2025
WP No. 5655 of 2025

CNR: KAHC010139862025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE V SRISHANANDA

WRIT PETITION NO. 6927 OF 2025 (GM-RES)

C/W

WRIT PETITION NO. 3427 OF 2025 (GM-RES)

WRIT PETITION NO. 5655 OF 2025 (GM-RES)

IN WP No. 6927/2025

BETWEEN:

SRI. SRI. PANATI VITTALNATHA REDDY
S/O P. CHANGA REDDY,
AGED ABOUT 49 YEARS,
PROPRIETOR OF PARISHUDH VENTURES
AND DIRECTOR OF PARISHUDH
VENTURES PVT LTD.,
R/AT NO. 402/8, 15TH MAIN,
VENKATESHWARA LAYOUT,
OLD MADIWALA, BENGALURU - 560 068.

...PETITIONER

Digitally signed by ASHWINI MAYAPPA MAVARAKAR
Location: High Court of Karnataka

(BY SRI. JAYKUMAR S. PATIL, SR. ADVOCATE FOR
SRI. MAHAMAD TAHIR A, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
BY CCB BENGALURU CITY POLICE,
BENGALURU CITY,
REPRESENTED BY ITS STATE PUBLIC PROSECUTOR,
HIGH COURT BUILDING,

DR. B.R. AMBEDKAR VEEDHI,
BENGALURU - 560 001.

2. THE CHIEF ENGINEER
AND CHIEF GENERAL MANAGER,
BENGALURU SOLID WASTE MANAGEMENT LTD,
(BSWML), REGISTERED OFFICER AT NO.30/1,
1ST 2ND FLOOR, UNI BUILDING,
THIMMAIAH ROAD, MILLERS TANK BUND AREA,
VASANTNAGAR, BENGALURU - 560 051.

3. THE ADDITIONAL COMMISSIONER OF POLICE,
(CRIME), BENGALURU CITY,
OFFICE OF THE COMMISSIONER OF POLICE,
NO.1, INFANTRY ROAD,
BENGALURU - 560 001.

4. THE STATE OF KARNATAKA
BY HOME DEPARTMENT (CRIMES),
REPRESENTED BY ITS PRINCIPAL SECRETARY,
AMBEDKAR VEEDHI, BENGALURU - 560 001.

…RESPONDENTS

(BY SMT. WAHEEDA M.M, HCGP FOR R1, R3 AND R4;
SRI. S.N. PRASHANTH CHANDRA, ADVOCATE FOR R2)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA R/W SEC. 528 OF BNSS, 2023 PRAYING TO QUASH THE IMPUGNED FIR IN CR. NO 4/2025 DATED 30.01.2025 REGISTERED BY THE 1ST RESPONDENT/CCB BENGALURU CITY POLICE FOR THE OFFENCES UNDER SEC. 120B, 420 AND 426 OF IPC AND SEC. 23 OF KARNATAKA TRANSPARENCY IN PUBLIC PROCUREMENTS ACT, 1999 AND RULES, 2000 REGISTERED AS AGAINST

UNKNOWN ACCUSED, WHICH IS SUBMITTED BEFORE THE 1ST ADDL. CHIEF JUDICIAL MAGISTRATE, BENGALURU CITY (PRODUCED VIDE ANNEXURE-L) AND ETC.,

IN WP NO. 3427/2025

BETWEEN:

M/S. OM APARAJITHE SOLID
WASTE MANAGEMENT LLP,
(A FIRM REGISTERED UNDER
THE LIMITED LIABILITY PARTNERSHIP ACT, 2008)
HAVING ITS REGD OFFICE AT:
NO. 2, 1ST FLOOR, D BLOCK,
UNITY BULIDING COMPLEX,
MISSION ROAD, BENGALURU - 560 027
REP. BY ITS PARTNER
S.N. BALASUBRAMANIAM

...PETITIONER

(BY SRI. PRASANNA KUMAR P, ADVOCATE)

AND:

1. STATE OF KARNATAKA
   BY CCB BENGALURU CITY POLICE,
   BENGALURU CITY,
   REPRESENTED BY ITS
   STATE PUBLIC PROSECUTOR,
   HIGH COURT BLDG.,
   DR. B.R. AMBEDKAR VEEDHI,
   BENGALURU - 560 001.

2. BASAVARAJ R KABADE,
   S/O REVANASIDD YAMANAPPA KABADE,
   AGED 49 YEARS,

CHIEF ENGINEER AND MANAGER BSWML,
BENGALURU SOLID WASTE MANAGEMENT LTD.,
REG. OFFICE AT NO. 30/1,
1SY AND 2ND FLOOR, UNI BLDG.,
THIMMALAH ROAD, MILLERS TANK BUND AREA,
VASANTHNAGAR, BENGALURU - 560 051.

3. DR. CHANDRAGUPTA, IPS
ADDL. COMMISSIONER OF POLICE
(CRIME), BENGALURU CITY,
OFFICE OF THE COMMISSIONER OF POLICE,
NO.1, INFANTRY ROAD,
BENGALURU - 560 001.

...RESPONDENTS

(BY SMT. WAHEEDA M.M, HCGP FOR R1;
SRI. S.N. PRASHANTH CHANDRA, ADVOCATE FOR R2)

THIS W.P. IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA R/W SEC. 528 OF BNSS, 2023 PRAYING TO QUASH THE IMPUGNED FIR IN CR. NO 4/2025 DT.30.01.2025 REGISTERED BY THE 1ST RESPONDENT/CCB BENGALURU CITY POLICE FOR THE OFFENCES UNDER SEC. 120B, 420, AND 426 OF IPC AND SEC. 23 OF KARNATAKA TRANSPARENCY IN PUBLIC PROCUREMENTS ACT, 1999 AND RULES, 2000 REGISTERED AS AGAINST UNKNOWN ACCUSED WHEREIN THE PETITIONER WAS SEARCHED UNDER THE WARRANT DATED 01.02.2025 AND THE PARTNER OF THE PETITIONER IS ISSUED POLICE NOTICE DT. 03.02.2025, WHICH IS SUBMITTED BEFORE THE 1ST ADDL. CHIEF JUDICIAL

MAGISTRATE, BENGALURU CITY INSOFAR AS THE PETITIONER IS CONCERNED (PRODUCED VIDE ANNEXURE-A) AND ETC.,

IN WP NO. 5655/2025

BETWEEN:

MR. P. VIKRAM DEVA REDDY
S/O LATE P. DURUVASALU REDDY
AGED ABOUT 53 YEARS,
PROPRIETOR, VARSHINI ENTERPRISES
NO. 08, BEHIND SANDHYA THEATER
OLD MADIWALA, BANGALORE - 560 076.

...PETITIONER

(BY SRI. JAYKUMAR S. PATIL, SR. ADVOCATE FOR
SRI. MAHAMAD TAHIR A, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
BY CCB BENGALUR CITY POLICE,
BENGALURU CITY
REPRESENTED BY ITS
STATE PUBLIC PROSECUTOR,
HIGH COURT BUILDING,
DR. B.R AMBEDAKAR VEEDHI
BENGALURU - 560 001.

2. THE CHIEF ENGINEER AND
CHIEF GENERAL MANAGER,
BENGALURU SOLIDE WASTE
MANAGEMENT LTD., (BSWML)
REGISTERED OFFICER AT NO.30/1,
1ST AND 2ND FLOOR, UNI BUILDING

THIMMAIAH ROAD, MILLERS TANK
BUND AREA, VASANTNAGAR
BENGALURU - 560 051.

3. THE ADDITIONAL COMMISSIONER OF POLICE,
(CRIME), BENGALUR CITY
OFFICE OF THE COMMISSIONER OF POLICE
NO.1, INFANTRY ROAD
BENGALURU - 560 001.
4. THE STATE OF KARNATAKA
BY HOME DEPARTMENT (CRIMES)
REPRESENTED BY ITS PRINCIPAL SECRETARY
AMBEDKAR VEEDHI,
BENGALURU - 560 001.

...RESPONDENTS

(BY SMT. WAHEEDA M.M, HCGP FOR R1, R3 AND R4;
SRI. S.N. PRASHANTH CHANDRA, ADVOCATE FOR R2)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA R/W SEC. 528 OF BNSS, 2023 PRAYING TO (1) QUASHING THE IMPUGNED FIR IN CR. NO 4/2025 DATED 30.01.2025 REGISTERED BY THE 1 RESPONDENT/CCB BENGALURU CITY POLICE FOR THE OFFENCES UNDER SEC. 1208, 420, AND 426 OF IPC AND SEC. 23 OF KARNATAKA TRANSPARENCY IN PUBLIC PROCUREMENTS ACT, 1999 AND RULES, 2000 REGISTERED AS AGAINST UNKNOWN ACCUSED, WHICH IS SUBMITTED BEFORE THE 1ST ADDL. CHIEF JUDICIAL MAGISTRATE, BENGALURU CITY (PRODUCED VIDE ANNEXURE L) AND ETC.,

THESE PETITIONS, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE V SRISHANANDA

ORAL ORDER

1. Heard.

2. Present petitions are filed under Articles 226 and 227 of the Constitution of India read with Section 482 of Criminal Procedure Code with the following prayers:

IN WP No.6927/2025

Wherefore, it is humbly prayed that this Hon'ble Court may kindly be pleased to,

i. Issue a writ, order or direction in the nature of certiorari quashing the impugned FIR in Cr.No.4/2025 dated 30.01.2025 registered by the 1st respondent/CCB Bengaluru City Police for the offences under Section 120B, 420 and 426 of Indian Penal Code and Section 23 of Karnataka Transparency in Public Procurements Act, 1999 and Rules, 2000 registered as against unknown accused, which is submitted before the 1st Addl. Chief Judicial Magistrate, Bengaluru City (produced vide Annexure-L); and

ii. Issue a writ, order or direction in the nature of certiorari quashing the impugned Government Order

bearing No.HD 193 COD 2024, Bengaluru dated 31.12.2024 passed by the respondent No.4/State (produced vide Annexure-K);

iii. Pass such other orders as this Hon'ble Court deems fit in the facts and circumstances of the case, in the interest of justice."

IN WP No.3427/2025

"Wherefore it is humbly prayed that this Hon'ble Court may kindly be pleased to,

i. Issue a writ, order or direction in the nature of certiorari quashing the impugned FIR in Cr.No.4/2025 dated 30.01.2025 registered by the 1st respondent/CCB Bengaluru City Police for the offences under Section 120B, 420 and 426 of Indian Penal Code and Section 23 of Karnataka Transparency in Public Procurements Act, 1999 and Rules, 2000 registered as against unknown accused wherein the petitioner was searched under the warrant dated 01.02.2025 and the partner of the petitioner is issued police notice dated 03.02.2025, which is submitted before the 1st Additional Chief Judicial Magistrate, Bengaluru City insofar as the petitioner is concerned (produced vide Annexure 'A'); and

ii. Pass such other orders as this Hon'ble Court deems fit in the facts and circumstances of the case, in the interest of justice.

IN WP No.5655/2025

Wherefore, it is humbly prayed that this Hon'ble Court may kindly be pleased to,

i. Issue a writ, order or direction in the nature of certiorari quashing the impugned FIR in Cr.No.4/2025 dated 30.01.2025 registered by the 1st respondent/CCB Bengaluru City Police for the offences under Section 120B, 420 and 426 of Indian Penal Code and Section 23 of Karnataka Transparency in Public Procurements Act, 1999 and Rules, 2000 registered as against unknown accused, which is submitted before the 1st Addl. Chief Judicial Magistrate, Bengaluru City (produced vide Annexure-L); and

ii. Issue a writ, order or direction in the nature of certiorari quashing the impugned Government Order bearing No.HD 193 COD 2024, Bengaluru dated 31.12.2024 passed by the respondent No.4/State (produced vide Annexure-K);

iii. Pass such other orders as this Hon'ble Court deems fit in the facts and circumstances of the case, in the interest of justice."

3. At the outset, Sri.Jaykumar S. Patil, learned Senior Counsel for the petitioner would contend that the tender is not yet accepted and floated. As such, no wrongful loss or

wrongful gain has occurred as is sought to be portrayed by the complainant.

4. He would further contend that the concerned authority has withdrawn the tender proceedings itself, question of criminal conspiracy and ingredients required to falsify the documents for obtaining the favourable orders itself gets into insignificance and thus sought for allowing the petitions.

5. However, Sri.S.N.Prashanth Chandra, learned counsel for respondent No.2 and Smt.Waheeda M. M., learned High Court Government Pleader for respondent Nos.1, 3 and 4 would contend that what has been challenged is the registration of the complaint and Investigation Officer if finds that no material is found against the petitioner herein, would file appropriate report under Section 173 of Cr.P.C. and thus, it is too premature for this Court to consider the prayers of the writ petitions and sought for dismissal of the petitions.

6. Having heard the arguments of both the parties, this Court noted that BBMP has floated the tender for waste management. However, the said tender could not fructify on

account of writ petitions being filed and very project itself for which the tender is called for is withdrawn.

7. It is the complaint of respondent No.2 that while applying for the tender itself, there were lot of corrupt practices which ultimately resulted in withdrawing the tender itself and whereby the public at large is suffering for want of project being approved by the BBMP and thus, sought for necessary actions against the persons who are involved in such corrupt practices.

8. Contents of column No.10 of the FIR in all these matter has been taken note of by this Court meticulously in this regard.

9. In order to ascertain whether any wrongful loss has occurred to the BBMP and corresponding wrongful gain to the accused person, this Court repeatedly put across the question that whether any amount of money has been paid by the BBMP till now.

10. Sri.S.N.Prashanth Chandra, learned counsel for respondent No.2/BBMP would submit that no amount has been parted away by BBMP in this regard.

11. Since the tender itself is withdrawn, no question of wrongful loss has been caused to the BBMP and corresponding gain to the accused persons whereby offence under Section 420 of Indian Penal Code would not get attracted.

12. Mere furnishing of wrong/incorrect information, without there being tender being allotted to the petitioners, would not *ipso facto* result in falsification of the documents to obtain favourable orders from the BBMP even if it is considered that the petitioners are at fault or guilty of furnishing wrong information.

13. Thus, the ingredients required for attracting the remaining offences also gets into insignificance and no useful purpose would be served by continuing with the investigation of the present complaint.

14. Hence, a case is made out for quashing the pending FIR.

15. Accordingly, following:

ORDER

i. Writ petitions are ***allowed***.

ii. FIR in Crime No.4/2025 dated 30.01.2025 registered by CCB Bengaluru City Police for the offences punishable under Sections 120B, 420 and 426 of Indian Penal Code and Section 23 of Karnataka Transparency in Public Procurements Act, 1999 and Rules, 2000 is quashed.

Sd/-
(V SRISHANANDA)
JUDGE

KAV
List No.: 1 Sl No.: 14