HC-KAR

NC: 2026:KHC:59790
CRL.P No. 3851 of 2020

CNR: KAHC010245052020

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.3851 OF 2020

BETWEEN:

1. SRI. M.C.H. MEHARISH
   S/O LATE CHANDRASHEKHAWRA
   AGED ABOUT 45 YEARS

2. SRI. M.V. DHARMANANDANA
   S/O LATE VENKATASHIVA REDDY
   AGED ABOUT 58 YEARS
   (DEAD ON 30.12.2020)

   PETITIONERS ARE
   R/AT MATHIKERE VILLAGE
   CHANNAPATNA TALUK
   RAMANGARA DISTRICT-562117.

...PETITIONERS

Digitally signed by DEVIKA M
Location: HIGH COURT OF KARNATAKA

(BY SRI. SAMPATH A., ADVOCATE FOR PETITIONER NO.1;
PETITION AGAINST PETITIONER NO.2 IS DISMISSED AS ABATED VIDE ORDER DATED 05.10.2026)

AND:

1. STATE OF KARNATAKA
   BY CHANNAPATNA RURAL POLICE STATION
   CHANNAPATNA TALUK
   RAMANGARA DISTRICT 562117

2. SMT. SUNDARAMMA
   W/O LATE RADHAKRISHNA
   AGED ABOUT 47 YEARS

R/AT MATHIKERE VILLAGE
CHANNAPATNA TALUK,
RAMANGARA DISTICT 562117

…RESPONDENTS

(BY SRI. SUHAS GOWDA M., HCGP FOR R1;
R2 IS SERVED)

THIS CRIMINAL PETITION IS FILED UNDER SECTION 482 OF CR.P.C PRAYING TO QUASH THE FIR IN CR.NO.16/2020 REGISTERED BY THE RESPONDENT POLICE FOR THE OFFENCES PUNISHABLE UNDER SECTION 306 R/W SECTION 149 OF IPC AS AGAINST THE PETITIONERS.

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

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

ORAL ORDER

Heard learned counsel for petitioners and learned High Court Government Pleader for respondent No.1. Petitioner No.2 is dead and the petition in respect of petitioner No.2 is abated.

2. This petition is filed praying this Court to quash the FIR. Learned counsel for the petitioners would vehemently contend that petitioners are no way connected to this crime and they are not the family members and no specific allegations are made against the petitioners except the word used that petitioners along with others came and abused on

19.01.2020 at 4.00 p.m. and they have instigated others to demand money from the compensation received. Hence, prays this Court to quash the proceedings. The counsel also would submit that suit is already filed in O.S.No.76/2015 as per Annexure-B seeking the relief of partition and separate possession and written statement is also filed by the defendants in the said suit as per Annexure-C and contend that the civil dispute is given a criminal colour and falsely implicated the petitioners in the complaint.

3. Per contra, learned High Court Government Pleader for respondent No.1 would submit that while quashing the proceedings, the Court has to look into the contents of complaint and in the complaint, specific mention is made that while committing suicide, he had left the death note and counsel would submit that death note is also obtained from the Court, wherein specific allegations are made against the petitioners that they are the cause for ending his life along with others and matter requires investigation.

4. Having heard learned counsel appearing for the petitioners and learned High Court Government Pleader

appearing for respondent No.1, while exercising the power under Section 482 of Cr.P.C. to quash the FIR, the Court has to look into the contents of complaint. Having perused the contents of complaint, specific allegations are made against the petitioners as well that they are also responsible and her husband had also left the death note. Having perused the death note which is placed before the Court by learned High Court Government Pleader for respondent No.1, specific allegations are made against the petitioners and also against others. When such being the case, when reference is made in the complaint that he had left the death note, the Court has to look into the contents of death note as well as contents of the complaint.

5. The Apex Court also in the judgment in **DINESHBHAI CHANDUBHAI PATEL vs. STATE OF GUJARAT AND OTHERS** reported in **(2018) 3 SCC 104**, categorically held in paragraph Nos.30 and 31 that if the contents of complaint does disclose the ingredients of offence, the High Court should not venture to quash the FIR, instead allow the Investigating Officer to unearth the truth. When such principle is laid down in the judgment referred supra and also

looking into the contents of complaint and also the death note, it is not a case for exercising the power under Section 482 of Cr.P.C. The petitioner No.1 can appear before the Investigating Officer, since petitioner No.2 is no more and produce the documents during the course of investigation and if such documents are produced during the course of investigation, the Investigating Officer to consider the same while filing the final report.

With these observations, the criminal petition is ***disposed of.***

Sd/-
(H.P.SANDESH)
JUDGE

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List No.: 1 Sl No.: 16