HC-KAR

NC: 2026:KHC:22213
WP No. 13879 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 22ND DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

WRIT PETITION NO. 13879 OF 2025 (GM-POLICE)

BETWEEN:

SMT. UMADEVAMMA,
WIFE OF B.R. SHIVANNA,
AGED ABOUT 74 YEARS,
RESIDING AT NO.42,
4TH CROSS, 9TH MAIN,
HAMPI NAGAR,
NEAR CENTRAL LIBRARY,
VIJANYANAGAR,
BANGALORE - 560 040.

...PETITIONER

(BY SRI. YATHISH S., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
MINISTARY OF HOME AFFAIRS
REPRESENTED THROUGH ITS
PRINCIPAL SECRETORY
VIDHANA SAUDHA
DR. AMBEDKAR VEEDHI
BANGALORE 560 001.

2. VIJAYANAGARA POLICE STATION,
REPRESENTED THROUGH
PUBLIC PROSECUTOR,
HAVING OFFICE AT
SBI STAFF COLONY,
HOSHALLI EXTENTION,
STAGE I VIJAYANAGAR,
BANGALORE 560 040.

...RESPONDENTS

(BY SRI. VIKAS ROJIPURA, AGA)

THIS WP IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECTING THE

Digitally signed by CHAITHRA A
Location: HIGH COURT OF KARNATAKA

RESPONDENT POLICE TO CONDUCT SPEEDY AND EFFECTIVE INVESTIGATION AS PER THE COMPLAINT DT-06.10.2024 PRODUCED AT ANNEXUE-D OF THE PETITION.

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

CORAM: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

ORAL ORDER

This petition is filed seeking a writ in the nature of mandamus directing the respondent/police to act on the complaint dated 6.10.2024 and register the FIR.

2. Heard the learned counsel for the petitioner and learned AGA.

3. The petitioner, who is a senior citizen aged about 74 years, has approached this Court being aggrieved by the palpable inaction and complete laxity on the part of respondent No.2–Station House Officer in not acting upon the written complaint submitted by her. It is the specific grievance of the petitioner that despite disclosing serious allegations, which prima facie constitute

cognizable offences, the jurisdictional police have failed to take even preliminary steps in accordance with law.

4. The petitioner contends that the complaint clearly discloses commission of cognizable offences; however, no action is forthcoming on account of extraneous considerations. The petitioner alleges that her immovable property has been fraudulently dealt with by one M. U. Ashok, stated to be an auditor by profession, in active collusion with certain bank officials. It is her categorical assertion that the acts complained of involve elements of fraud, criminal breach of trust, and conspiracy, warranting immediate registration of a First Information Report and investigation in accordance with law.

5. Learned counsel appearing for the petitioner, on instructions, would further submit that the individuals named in the complaint are not first-time offenders and that they have indulged in similar fraudulent activities

against other unsuspecting persons. It is submitted that multiple FIRs have already been registered against the said persons and that criminal prosecutions are pending. Despite the existence of such antecedents, respondent No.2 has remained supine and has failed to take action on the petitioner's complaint, thereby compelling the petitioner, more so being a senior citizen, to invoke the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India.

6. On a pointed query by this Court, learned Additional Government Advocate, on instructions, submits that the complaint dated 06.10.2024 will be duly examined by the jurisdictional Station House Officer and appropriate action will be taken in accordance with law. He further submits that such consideration shall be strictly in conformity with the principles laid down by the Hon'ble Apex Court in ***Lalita Kumari v. Government of Uttar***

Pradesh[1] governing the mandatory registration of FIRs in cases disclosing cognizable offences.

7. Recording the said submission and having regard to the material placed on record, this Court is of the considered view that the grievance of the petitioner warrants interference, particularly in light of the settled legal position that when a complaint discloses a cognizable offence, registration of FIR is mandatory, subject to permissible preliminary enquiry in limited categories.

8. Accordingly, this Court proceeds to pass the following:

ORDER

(i) The writ petition is hereby ***allowed***.

(ii) Respondent No.2–Station House Officer is directed to forthwith consider and act upon the written complaint dated 06.10.2024 submitted by the

[1] ***(2013) 14 S.C.R 713***

petitioner, as evidenced at Annexure–"D", and take appropriate action strictly in accordance with law, bearing in mind the principles enunciated by the Hon'ble Supreme Court in ***Lalita Kumari v. Government of Uttar Pradesh and Ors.***(supra).

(iii) The petitioner is at liberty to furnish details of similar FIRs and criminal proceedings pending against the persons named in her complaint. If such information is furnished, respondent No.2 shall take into consideration the antecedents of the said persons while proceeding in the matter, in accordance with law.

(iv) It is made clear that the aforesaid exercise shall be undertaken expeditiously and without being influenced by any extraneous considerations.

Sd/-
(SACHIN SHANKAR MAGADUM)
JUDGE

ALB, List No.: 1 Sl No.: 60