HC-KAR
NC: 2026:KHC:64395
CRL.P No. 5766 of 2026
CNR: KAHC010260872026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 19TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

CRIMINAL PETITION NO. 5766 OF 2026

BETWEEN:

1. SRI MOHAN,
S/O. PAPANNA,
AGED ABOUT 29 YEARS,
R/O. ERAGAPPANA HALLI VILLAGE,
SADALI HOBLI, SHIDLAGHATTA TALUK,
CHIKKABALLAPURA DISTRICT.

2. SRI G. PAPANNA,
S/O. LATE GANGAPPA,
AGED ABOUT 52 YEARS,
R/O. ERAGAPPANA HALLI VILLAGE,
SHIDLAGHATTA TALUK, SADALI HOBLI,
CHIKKABALLAPURA DISTRICT.

...PETITIONERS

(BY SRI AGNIHOTRI KESHAV RANGANATHACHAR, ADVOCATE)

AND:

STATE OF KARNATAKA,
BY BAGEPALLI POLICE STATION,
CHIKKABALLAPURA SUB-DIVISION,
CHIKKABALLAPURA DISTRICT,
REPRESENTED BY S.P.P.,
HIGH COURT OF KARNATAKA,
BENGALURU-560001.

...RESPONDENT

(BY SRI NAGHARISH G S,HCGP)

THIS CRL.P IS FILED U/S 482 CR.PC (FILED U/S 528 BNSS) BY THE ADVOCATE FOR THE PETITIONER PRAYING THAT THIS HONOURABLE COURT MAY BE PLEASED TO QUASH

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THE CHARGE SHEET DT. 11.06.2024, FILED BY THE RESPONDENT NO.1/BAGEPALLI POLICE STATION, CHIKKABALLAPURA DISTRICT, ON THE FILE OF THE CIVIL JUDGE AND JMFC, BAGEPALLI IN C.C. NO. 614/2024, ARISING OUT THE COMPLAINT DT. 28.01.2024, DIRECTING THE RESPONDENT/POLICE TO REFRAME THE CHARGE SHEET, CORRECTLY SHOWING THE NAME OF RAMASWAMY (ACCUSED IN FIR) AND DROP OUT THE NAME OF MOHAN/PETITIONER NO.1 AND THUS ALLOW THIS PETITION.

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

CORAM: HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

ORAL ORDER

Heard the learned counsel appearing for the petitioners and the learned HCGP for respondent-State.

2. This petition is filed challenging the charge sheet dated 11.06.2024 filed by the Bagepalli Police, Chikkaballapura District and to quash the proceedings in C.C. No.614/2024 arising from the complaint dated 28.01.2024.

3. The learned counsel the petitioners would submit that petitioner No.2 is the owner of the vehicle which is allegedly involved in an accident. The petitioner No.2 lodged a complaint alleging that his driver Ramaswamy, caused the accident. The police investigated the matter and filed the

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charge sheet against petitioner No.1 who is the son of petitioner No.2.

4. Learned counsel for the petitioners would submit that petitioner No.1 was sitting at the rear seat when the alleged accident took place and he was not driving the vehicle and Ramaswamy was driving the vehicle. Thus, it is the contention that the charge sheet could not have been filed against the petitioners.

5. The learned HCGP would submit that after investigation, based on the version of the eyewitnesses, the charge sheet is filed against the petitioners as the petitioner No.1 was driving the vehicle and was not possessing necessary driving license.

6. The charge sheet is also filed against the petitioner No.2 as he has allowed the petitioner No.1 who did not have the licence to drive the vehicle. It is also submitted that there is no insurance to the said vehicle.

7. The contention that the petitioner No.1 was not driving the vehicle and he was sitting on the rear seat of the

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vehicle at the time of alleged accident has to be considered at the time of trial. It cannot be adjudicated in the proceeding under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

8. Merely because the complaint is lodged against the driver by name Ramaswamy itself is not a ground to quash the charge sheet, if the charge sheet is based on the alleged version of the eyewitness who would say that the accident has taken place on account of rash and negligent act of the petitioner No. 1.

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

10. All contentions kept open.

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(ANANT RAMANATH HEGDE)
JUDGE

CHS
List No.: 2 Sl No.: 18