HC-KAR

NC: 2026:KHC:23073
CRL.P No. 6507 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.NAGAPRASANNA

CRIMINAL PETITION NO. 6507 OF 2026

BETWEEN:

GAGAN BANGA,
S/O PRAMENDRA KUMAR BANGA,
AGED ABOUT 50 YEARS,
MANAGING DIRECTOR,
SAMMAAN CAPITAL LIMITED,
INTERNATIONAL CENTRE,
18TH FLOOR,
TOWER – 1,
SENAPAT, MUMBAI CITY,
MAHARASHTRA - 400 013,

REPRESENTED BY HIS
POWER OF ATTORNEY HOLDER,
MR. AJAY REWAL.

...PETITIONER

(BY SRI. PRABHULING K.NAVADGI,
SENIOR ADVOCATE
FOR
SRI. CHINTAN CHINNAPPA M., ADVOCATE)

Digitally signed by SANJEEVINI J KARISHETTY
Location: HIGH COURT OF KARNATAKA

AND:

1. STATE OF KARNATAKA,
HSR LAYOUT POLICE STATION,
REPRESENTED BY
HIGH COURT OF KARNATAKA,
GOVERNMENT PLEADER,

HIGH COURT BUILDING,
BENGALURU - 560001.

2. HANUMANTHARAYA D.,
S/O N.DASAPPA,
AGED ABOUT 52 YEARS,
DIRECTOR,
AGARA TECHZONE PVT. LTD.,
NO. C-5, RICH HOMES,
NO.5/1, RICHMOND TOWN,
BENGALURU CITY,
KARNATAKA – 560 025.

…RESPONDENTS

(BY SRI. B.N.JAGADEESHA, ADDL. SPP FOR R1;
DR. VANDANA P. L., ADVOCATE FOR R2)

THIS CRL.P IS FILED U/S 528 BNSS PRAYING TO QUASH THE FIR NO.114/2025 REGISTERED AT POLICE STATION HSR LAYOUT U/S 318(4), 319(2), 336(2), 336(3), 338, 339, 340(2) OF BNS (ANNEXURE-A) AND ETC.

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

CORAM: **HON'BLE MR. JUSTICE M.NAGAPRASANNA**

ORAL ORDER

The petitioner is before this Court, seeking the following prayers:

"A. The FIR No.114/2025 registered at Police Station HSR Layout under sections 318(4)/319(2)/ 336(2) /336(3) / 338/339/340(2) of BNS (ANNEXURE-A); and

B. The subsequent chargesheet dated 30/07/2025 filed under sections 316(2)/318(4) & 61(2) BNS. (ANNEXURE-B); and

C. All the consequential proceedings emanating from the impugned FIR and chargesheet which are pending adjudication in C.C.No.28309/2025 before the court of III Additional Chief Metropolitan Magistrate, Bengaluru (ANNEXURE-D); and

D. Pass such other and further order(s) as this Hon'ble Court may deem fit in the interest of justice."

2. Heard the learned Senior Counsel Sri.Prabhuling K Navadgi appearing for the petitioner, Sri.B.N.Jagadeesha, learned Addl. SPP appearing for respondent No.1, Dr.Vandana P.L., learned counsel appearing for respondent No.2 and have perused the material on record.

3. Learned counsel appearing for the petitioner would submit that the issue in the *lis* stands covered by the judgment rendered by this Court in Crl.P.No.15494/2025 C/w Crl.P.No.6818/2025, W.P.No.31436/2025, disposed on 15.04.2026, wherein against the co-accused, this Court has quashed the proceedings by the following order:

"5. During the subsistence of the proceedings, the parties to the *lis* have entered into a settlement and have settled the dispute by filing Joint Affidavits of Settlement in Crl.P.No.6818/2025 and W.P.No.31436/2025 drawing up certain terms of settlement.

6. The Joint Affidavit of Settlement filed by the parties to the *lis* in Crl.P.No.6818/2025 reads as follows:

"JOINT AFFIDAVIT OF SETTLEMENT

We, S. Damodar, aged 49 years, C/o Shekar, the authorised representative of the petitioner company, residing at No. 33 Poojappa Road, Chairman Street, Sagar Hotel, RS Palya, Maruthi Sevenagar, Bengaluru 560033, and Hanumantharaya. D, aged 49 years, s/o Sri. Dasappa, being the Authorized Representative of the Respondent No.2/Complainant, having registered office at No. C05, Rich Homes, No. 5/1, Richmond Road, Bengaluru 560025, do hereby solemnly affirm and declare as under:

1. We swear that we are the authorized representatives of the Petitioner and Respondent No. 2 respectively and we are completely conversant with the entire facts and circumstances of the company and hence we swear to this affidavit.

2. We swear that the present petition is filed seeking quashing of FIR Crime No. 0114/2025 dated 27.03.2025 registered at PS HSR Layout, under Section 318(4)/ 319(2)/336(2)/336(3)/338/339/340(2) BNS pending on the file of Hon'ble 3rd Addnl. Chief Judicial Magistrate at Bangalore dated 05.08.2025 and all proceedings emanating therefrom.

3. We swear that now we have entered in to a settlement on the following terms and conditions:

I. Respondent No. 2 has agreed and has no objection for the quashing of present FIR i.e., Crime No. 0114/2025 dated 27.03.2025 registered at PS HSR Layout, under Section 318(4)/319(2)/336(2)/336(3)/338/339/340(2) BNS & proceedings emanating therefrom.

II. The Petitioner has registered FIR' No.0190/2025

before the EOW, Delhi and the Petitioner has agreed to cooperate for the quashing of the same by filing a joint affidavit before the Hon'ble High Court of Delhi in WP (CRL.) No. 646/2026.

4. We swear that the present FIR arises out of a commercial dispute between parties regarding proposed acquisition of shareholding in Agara Techzone Private Limited ("ATPL"), by Sujay Reports & Township Projects Private Limited. In lieu of the same, the Petitioner had disbursed a loan to Sujay Resorts, in terms of a disclosed Inter-Corporate Deposit Agreement. A sum of ₹360 Crore was transferred to Shore Dwellings Pvt. Ltd., a Mantri Group entity by Sujay Resorts. Pursuant thereto, an entry was recorded on the CERSAI portal with respect to the charge over the property at 63 acres and 37.5 guntas of land at Agara and Jakkasandra Villages, Bengaluru ("Subject Property"), which was owned by ATPL. The said charge was created based on the aforesaid undertakings & the ICD Documents. The said CERSAI charge was subsequently removed from the portal on 12.07.2025.

5. We swear that upon a Complaint by the Complainant/Respondent No. 2, the FIR bearing Crime. No. 0114/2025 dated 27.03.2025 was registered at PS HSR Layout, under Section 318(4)/ 319(2)/336(2)/336(3)/338/339/ 340(2) BNS. Thereafter, on 05.08.2025, the chargesheet u/s 316(2)/318(4)/61(2), BNS was filed by the Investigating Agency.

6. We swear that aggrieved by the said FIR and chargesheet, the Petitioner filed CRL.P 6818/2025 and WP 31436/2025 seeking quashing of the FIR bearing Crime No. 0114/2025 and the chargesheet in C.C No.28309/2025 pending on the file of Hon'ble 3rd Addnl. Chief Judicial Magistrate at Bangalore dated 05.08.2025.

7. We swear that during the pendency of the present proceedings, the parties herein have engaged in negotiations / discussions and pursuant thereto are in the process of arriving at a final amicable one time settlement. It is stated that the parties have entered such settlement discussions voluntarily and without any pressure or coercion by all parties concerned.

8. We swear that the present settlement discussions are in no manner an acceptance or acknowledgement by

any party of any allegations made by the other party upon them.

9. We swear that the Complainant/Respondent No.2 undertakes that it shall not agitate any dispute, directly or indirectly, with respect to the same/similar cause of action, against the Petitioner or its representatives.

10. We further under take that we shall remain bound by the terms of the settlement that are agreed upon after completion of the aforesaid settlement discussions and shall appear before the Hon'ble Court if so directed.

Therefore, we humbly pray that the present joint affidavit be taken on the record and charge sheet in C.C No.28309/2025 pending on the file of Hon'ble 3rd Addnl. Chief Judicial Magistrate at Bangalore dated 05.08.2025 arising out of FIR Crime No.0114/2025 dated 27.03.2025 registered at PS HSR Layout, under Section 318(4)/ 319(2)/336(2)/336(3)/ 338/339/ 340(2) BNS, as well as proceedings emanating therefrom be quashed in the interest of justice and equity."

7. The Joint Affidavit of Settlement filed by the parties to the *lis* in W.P.No.31436/2025 reads as follows:

"**JOINT AFFIDAVIT OF SETTLEMENT**

We, S. Damodar, aged 49 years, C/o Shekar, the authorised representative of the petitioner company, residing at No. 33 Poojappa Road, Chairman Street, Sagar Hotel, RS Palya, Maruthi Sevenagar, Bengaluru 560033, and Hanumantharaya. D, aged 49 years, s/o Sri. Dasappa, being the Authorized Representative of the Respondent No.2/Complainant, having registered office at No. C05, Rich Homes, No. 5/1, Richmond Road, Bengaluru 560025, do hereby solemnly affirm and declare as under:

1. We swear that we are the authorized representatives of the Petitioner and Respondent No. 2 respectively and we are completely conversant with the entire facts and circumstances of the company and hence we swear to this affidavit.

2. We swear that the present petition is filed seeking quashing of charge sheet in C.C No.28309/2025

pending on the file of Hon'ble 3rd Addnl. Chief Judicial Magistrate at Bangalore dated 05.08.2025 arising out of FIR Crime No. 0114/2025 dated 27.03.2025 registered at PS HSR Layout, under Section 318(4)/ 319(2)/336(2)/ 336(3)/ 338/ 339/ 340(2) BNS and all Proceedings emanating therefrom.

3. We swear that now we have entered in to a settlement on the following terms and conditions:

I. Respondent No. 2 has agreed and has no objection for the quashing of present FIR i.e., Crime No. 0114/2025 dated 27.03.2025 registered at PS HSR Layout, under Section 318(4)/319(2)/336(2)/336(3)/338/339/340(2) BNS & proceedings emanating therefrom.

II. The Petitioner has registered FIR' No.0190/2025 before the EOW, Delhi and the Petitioner has agreed to cooperate for the quashing of the same by filing a joint affidavit before the Hon'ble High Court of Delhi in WP (CRL.) No. 646/2026.

4. We swear that the present FIR arises out of a commercial dispute between parties regarding proposed acquisition of shareholding in Agara Techzone Private Limited ("ATPL"), by Sujay Reports & Township Projects Private Limited. In lieu of the same, the Petitioner had disbursed a loan to Sujay Resorts, in terms of a disclosed Inter-Corporate Deposit Agreement. A sum of ₹360 Crore was transferred to Shore Dwellings Pvt. Ltd., a Mantri Group entity by Sujay Resorts. Pursuant thereto, an entry was recorded on the CERSAI portal with respect to the charge over the property at 63 acres and 37.5 guntas of land at Agara and Jakkasandra Villages, Bengaluru ("Subject Property"), which was owned by ATPL. The said charge was created based on the aforesaid undertakings & the ICD Documents. The said CERSAI charge was subsequently removed from the portal on 12.07.2025.

5. We swear that upon a Complaint by the Complainant/Respondent No. 2, the FIR bearing Crime. No. 0114/2025 dated 27.03.2025 was registered at PS HSR Layout, under Section 318(4)/ 319(2)/ 336(2)/ 336(3)/ 338/339/ 340(2) BNS. Thereafter, on 05.08.2025, the chargesheet u/s 316(2)/318(4)/61(2), BNS was filed by the Investigating Agency.

6. We swear that aggrieved by the said FIR and chargesheet, the Petitioner filed CRL.P 6818/2025 and WP 31436/2025 seeking quashing of the FIR bearing Crime

No. 0114/2025 and the chargesheet in C.C No.28309/2025 pending on the file of Hon'ble 3rd Addnl. Chief Judicial Magistrate at Bangalore dated 05.08.2025.

7. We swear that during the pendency of the present proceedings, the parties herein have engaged in negotiations / discussions and pursuant thereto are in the process of arriving at a final amicable one time settlement. It is stated that the parties have entered such settlement discussions voluntarily and without any pressure or coercion by all parties concerned.

8. We swear that the present settlement discussions are in no manner an acceptance or acknowledgement by any party of any allegations made by the other party upon them.

9. We swear that the Complainant/Respondent No.2 undertakes that it shall not agitate any dispute, directly or indirectly, with respect to the same/similar cause of action, against the Petitioner or its representatives.

10. We further under take that we shall remain bound by the terms of the settlement that are agreed upon after completion of the aforesaid settlement discussions and shall appear before the Hon'ble Court if so directed.

Therefore, we humbly pray that the present joint affidavit be taken on the record and charge sheet in C.C No.28309/2025 pending on the file of Hon'ble 3rd Addnl. Chief Judicial Magistrate at Bangalore dated 05.08.2025 arising out of FIR Crime No. 0114/2025 dated 27.03.2025 registered at PS HSR Layout, under Section 318(4)/ 319(2)/336(2)/ 336(3)/ 338/339/340(2) BNS, as well as proceedings emanating therefrom be quashed in the interest of justice and equity."

8. In the light of the settlement arrived at between the parties and the offences alleged being not against the State, I deem it appropriate to accept the Joint Affidavits of Settlement and close the proceedings against the petitioner(s) in all the cases. Hence, the following:

O R D E R

[I] Criminal Petition No.15494/2025, Criminal Petition No.6818/2025 and Writ Petition No.31436/2025 are ***disposed***.

[II] In Crl.P.No.15494/2025, proceedings in C.C.No.28309/2025, along with the order of cognizance dated 05.08.2025 and Chargesheet No. 114 of 2025 dated 30.07.2025 pending before the Court of III Additional Chief Metropolitan Magistrate, Bengaluru *qua* the Petitioners stands quashed.

[III] In Crl.P.No.6818/2025, F.I.R. bearing Crime No.0114/2025 dated 27/03/2025 pending before the Hon'ble XXXIX Additional Chief Judicial Magistrate, Bengaluru stands quashed *qua* the petitioner.

[IV] In W.P.No.31436/2025, proceedings in C.C.No.28309/2025 along with the order taking cognizance dated 05/08/2025 pending before the Hon'ble III Addl. Chief Judicial Magistrate, Bengaluru, stands quashed *qua* the petitioner."

4. In the light of the order passed by this Court *(supra)* and for the reasons aforementioned, the following:

ORDER

(i) The Criminal Petition is allowed.

(ii) FIR No.114/2025, subsequent charge sheet dated 30.07.2025, all the consequential proceedings emanating from the impugned FIR and chargesheet which are pending adjudication in C.C.No.28309/2025 before the Court of III

Additional Chief Metropolitan Magistrate, Bengaluru, stand quashed, *qua* the petitioner.

Sd/-
(M.NAGAPRASANNA)
JUDGE

CBC
List No.: 2 Sl No.: 197