HC-KAR
NC: 2026:KHC:60118
CRL.P No. 8218 of 2026
CNR: KAHC010391732026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

CRIMINAL PETITION NO. 8218 OF 2026

BETWEEN:

1. CHANNAKESHAVA. V,
   S/O LATE VENKATASWAMY,
   AGED ABOUT 56 YEARS,
   R/AT NO. 65, NEAR SHARADA ASHRAMA,
   1ST CROSS,SURYAGANGA LAYOUT, HULIYAR ROAD,
   HIRIYUR CITY, CHITRADURGA DISTRICT,
   KARNATAKA.

2. SHARAN C,
   S/O CHANNAKESHAVA V,
   AGED ABOUT 25 YEARS,
   R/AT NO. 78, 10TH CROSS,
   NEAR ANNIE BESANT SCHOOL,
   SRINIVASA NAGAR, SUNKADAKATTE,
   BENGALURU 560 091.

...PETITIONERS

(BY SRI. NAVEEN GOWDA V.,ADVOCATE)

AND:

STATE OF KARNATAKA
BY KAMAKSHIPALYA POLICE STATION,
BENGALURU CITY,
REPRESENTED BY THE
STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
BENGALURU 560 001.

...RESPONDENT

(BY SRI NAGHARISH G S, HCGP)

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THIS CRL.P IS FILED U/S 482 CR.PC (FILED U/S 528 BNNS) BY THE ADVOCATE FOR THE PETITIONER PRAYING THAT THIS HONOURABLE COURT MAY BE PLEASED TO QUASH THE FIR BEARING CRIME NO.0090/2026 DATED 23.02.2026 REGISTERED BY THE KAMAKSHIPALYA POLICE STATION BENGALURU CITY U/S 318(2) (ANNEXURE-A) THE COMPLAINT ON THE BASIS WHEREOF IT WAS REGISTERED (ANNEXURE-B) THE FINAL REPORT/CHARGE SHEET DATED 05.03.2026 (ANNEXURE-C) AND ALL CONSEQUENTIAL PROCEEDINGS IN CC NO.20285/2026 INCLUDING THE ORDER TAKING COGNIZANCE DATED 24.03.2026 AND THE NON BAILABLE WARRANT ISSUED THEREUNDER NOW PENDING BEFORE THE COURT OF THE L ADDL.CJM VIDE ANNEXURE-D BENGALURU CITY AS AGAINST BOTH THE PETITIONERS.

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 High Court Government Pleader for the respondent-State.

2. This petition is filed to quash the FIR in Crime No.90/2026 registered on 23.02.2026 by the Kamakshipalya Police Station for the offence under Section 318(2) of Bharatiya Nyaya Sanhita, 2023 ('BNS'). The matter is investigated and the charge sheet is filed in C.C. No.20285/2026.

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3. Learned counsel for the petitioners would submit that even if the entire charge sheet allegations are accepted, same does not attract Section 318(2) of the BNS. It is the contention that according to the prosecution, the petitioners were riding a bike without the number plate and if that allegation is accepted, it may constitute an offence under Section 177 of the Motor Vehicles Act, 1988 ('MV Act') which provides for a fine of Rs.500/- for the first offence and Rs.1,500/- for the second offence.

4. Learned HCGP would submit that the petitioner No.1 was fined on 2 occasions for not wearing the helmet. Learned counsel for the petitioners does not dispute this aspect.

5. Learned HCGP would submit that since the petitioner No.1 was fined on 2 occasions for not wearing helmet to evade one more possible fine while he was riding the bike without helmet, he has deliberately removed the number plate and was riding the bike.

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RAMNATH HEGDE

6. The Court has considered the contentions raised at the bar and perused the records.

7. As can be seen from the requirement of Section 318(2) read with Section 318 of BNS, the Court is of the view that the charge sheet for the said offence is not tenable.

8. However, what is required to be noticed is that the petitioner No.1 appears to have committed offences under the Motor Vehicles Act, 1988 and the Karnataka Motor Vehicles Rules, 1989 for not wearing the helmet.

9. The petitioner No.1 has been imposed fine on 2 occasions for not wearing the helmet. Petitioner No.1 claims that he has paid the fine.

10. Thus, this is a repeated offence. The petitioner No.1 shall pay fine of Rs.1,500/- for the offence under Section 177 of the Motor Vehicles Act.

11. With these observations, the Court has passed the following:

ORDER

(i) The petition is ***allowed in part.***

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(ii) The proceeding in Crime No.90/2026 registered by the Kamakshipalya Police Station, Bengaluru is quashed.

(iii) The petitioner No.1 shall submit the receipt in the Registry within two weeks from today, for having paid the fine of Rs.1,500/- before the jurisdictional Police.

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(ANANT RAMANATH HEGDE)
JUDGE

CHS-List No.: 1 Sl No.: 20