HC-KAR

NC: 2026:KHC:64921
CRL.P No. 9252 of 2022

CNR: KAHC010432092022

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 20TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE H.P.SANDESH

CRIMINAL PETITION NO.9252 OF 2022

BETWEEN:

1. CHANDRASHEKAR NAIK S
AGED ABOUT 37 YEARS
S/O LATE SURYA NAIK
R/O INAM MUTTALLI TANDA
AGRAHARAMUCHADI POST
SHIKARIPURA TALUK
SHIVAMOGGA DISTRICT-577427
PRESENTLY RESIDING AT 2ND CROSS
SIDDAGANGAPPA LAYOUT
DABASPETE, NELAMANGALA TALUK
BENGALURU RURAL DISTRICT-562111

Digitally signed by DEVIKA M
Location: HIGH COURT OF KARNATAKA

2. SMT. RENUKA BAI
AGED ABOUT 33 YEARS
W/O CHANDRASHEKHARA NIAK S
R/O INAM MUTTALLI TANDA
AGRAHARAMUCHADI POST
SHIKARIPURA TALUK
SHIVAMOGGA DISTRICT-577427
PRESENTLY RESIDING AT 2ND CROSS
SIDDAGANGAPPA LAYOUT
DABASPETE, NELAMANGALA TALUK
BENGALURU RURAL DISTRICT-562111

3. SHANTHA NAIK
AGED ABOUT 38 YEARS
S/O LATE VALYA NAIK

R/O GULEDALLI VILLAGE
SHIKARIPURA TALUK
SHIVAMOGGA DISTRICT-577427

4. SMT. BABI BAI @ RENUKA BAI
AGED ABOUT 35 YEARS
W/O SHANTHA NAIK
R/O GULEDALLI VILLAGE
SHIKARIPURA TALUK
SHIVAMOGGA DISTRICT-577427

…PETITIONERS

(BY SRI. CHIDAMBARA G S, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REP. BY SHIRALAKOPPA POLICE STATION
SHIKARIPURA TALUKL
SHIVAMOGGA DISTRICT-577427
REP. BY THE STATE PUBLIC PROSECUTOR
HIGH COURT BUILDING
BENGALURU-560001

2. S RAJASHEKHARA NAIK
AGED ABOUT 48 YEARS
S/O LATE SURYA NAIK
R/O INAMMUTTALLI VILLAGE
SHIKARIPURA TALUK
SHIVAMOGGA DISTRICT-577427
PRESENTLY R/O NEAR CHOWDAMA TEMPLE
N T ROAD, HARAKERE
SHIVAMOGGA-577202

…RESPONDENTS

(BY SRI suhas gowda m, hcgp for r1;
R2 – served)

This CRL.P. is FILED U/S.482 OF CRPC PRAYING TO QUASH THE CHARGE SHEET FILED BY THE 1ST RESPONDENT

POLICE AND THE ENTIRE PROCEEDINGS IN C.C.NO.1342/2021 (OLD C.C.NO.826/2020) PENDING ON THE FILE OF COURT OF I ADDL. CIVIL JUDGE AND J.M.F.C AT SHIKARIPURA FOR THE OFFENCE P/U/S 323, 324, 354, 504, 506 R/W 34 OF IPC and etc.

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

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

ORAL ORDER

This petition is filed praying this Court to quash the charge sheet filed by respondent No.1 and the entire proceedings in C.C.No.1342/2021 pending on the file of I Additional Civil Judge and JMFC, Shikaripura for the offences under Sections 323, 324, 354, 504, 506 read with Section 34 of IPC.

2. Heard the learned counsel appearing for the petitioners and the learned High Court Government Pleader appearing for respondent No.1/State. Though respondent No.2 is served, unrepresented.

3. The specific accusation is made against each of the accused in the complaint and the statement of the witnesses is

very clear that they witnessed the incident and eyewitnesses are also cited while filing the charge sheet. Apart from that, three persons have sustained the injuries i.e., Rajashekara Naik, Sujatha and Gangubai, who have witnessing the incident of assault, came to rescue and at that time, they were also subjected to assault and sustained the injuries. Though the injuries are simple in nature, but there is a cut lacerated wound found in respect of injured Gangubai and each overt act is mentioned in the complaint as well as in the statement of witnesses. The disputed fact is that the petitioners have not assaulted cannot be considered in a petition under Section 482 of CrPC and the same is a matter of trial.

4. Though counsel appearing for the petitioners would submit that in respect of petitioner Nos.2 to 4 is concerned, there is no ground and the same cannot be accepted. The counsel also would submit that petitioner No.3 is no more. If such being the case, the case against the petitioner No.3 is abated. But in respect of other accused persons is concerned, they have to face the trial. Hence, no ground is made out to quash the proceedings initiated against them when there is a

statement of witnesses and injured witness and wound certificate is also produced before the Court and allegation of abuse and causing of life threat is also stated by the witnesses in the complaint.

5. In view of the discussions made above, I pass the following:

ORDER

The petition is dismissed.

The Trial Court is directed to dispose of the matter as early as possible.

Sd/-
(H.P.SANDESH)
JUDGE

SN