HC-KAR
NC: 2026:KHC:60531
CRL.P No. 10009 of 2021
CNR: KAHC010488322021

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF OCTOBER, 2026

BEFORE

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

CRIMINAL PETITION NO.10009 OF 2021

BETWEEN:

1. SRI. N. VENKATARAMANA REDDY,
S/O LATE NARAYANAPPA,
AGED ABOUT 76 YEARS,
RESIDING AT KODADAVADI,
CHINTAMANI TALUK,
CHIKKABALLAPURA DISTRICT.

…PETITIONER

(BY MS. KEERTHANA SWAMY, ADVOCATE FOR
SRI. KARUMBAIAH T.A., ADVOCATE)

AND:

1. STATE OF KARNATAKA
REPRESENTED BY STATE PUBLIC PROSECUTOR,
HIGH COURT BUILDING, BENGALURU-560001,
THROUGH CHANDRA LAYOUT POLICE STATION.

2. SMT. GAYATHRI W/O LATE M.B.SHIVAPPA,
AGED ABOUT 52 YEARS,
RESIDING AT NO.137, 138/2,
HANUMANTAPPA ROAD,
14TH MAIN ROAD, 8TH CROSS,
WEAVERS LAYOUT, ATHIGUPPE
VIJAYANAGAR II STAGE
BENGALURU-560040

…RESPONDENTS

(BY SRI. MOHAMMED AYUB ALI, ADDL. SPP FOR R1;
NOTICE TO R2 IS HELD SUFFICIENT,
VIDE ORDER DATED 24.05.2022)

Digitally signed by DEVIKA M
Location: HIGH COURT OF KARNATAKA

THIS CRIMINAL PETITION IS FILED UNDER SECTION 482 OF CR.P.C PRAYING TO QUASH THE FIR IN CR.NO.236/2021 REGISTERED BY THE 1ST RESPONDENT POLICE FOR THE OFFENCE PUNISHABLE UNDER SECTION 306 OF IPC AT ANNEXURE-A AND THE COMPLAINT DATED 19.11.2021 WHICH IS NOW PENDING BEFORE THE VIII ADDL.C.M.M., NRUPATHUNGA ROAD, BENGALURU AT ANNEXURE-B IN SO FAR AS IT RELATES TO PETITIONER IS CONCERNED.

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

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

ORAL ORDER

Heard the learned counsel for the petitioner and the learned Additional SPP appearing for respondent No.1/State.

2. The learned counsel for the petitioner would submit that on the date of the incident itself, the son of the deceased made the statement before the police that there is no foul play in the death of his father. The learned counsel would contend that on the very next day, the wife of the deceased has given the complaint against the petitioner making the false allegation. Hence, it is a clear case of abuse of process and if investigation is conducted,

it will lead to miscarriage of justice and hence, it requires interference.

3. Per contra, the learned Additional SPP appearing for respondent No.1/State would submit that no dispute with regard to the death is concerned and the same is also by committing the suicide. Though son of the deceased gave the statement, but wife categorically says that before committing the suicide, husband stated about the role of this petitioner and others in getting the document in respect of the property and also made the statement that they are going to tarnish the image of the family. Specific allegation is made that the husband of the complainant had committed suicide due to the humiliation made by the petitioner and others and hence, the matter has to be investigated.

4. Having heard the learned counsel for the respective parties, only FIR is registered and no doubt, UDR is also registered based on the statement of the son.

But specific allegations are made in the complaint by the complainant/respondent No.2 that this petitioner and others are responsible for taking the extreme step of suicide by the husband and when such allegation is made, the matter requires to be investigated by the Investigating Officer. The Apex Court in its judgment in the case **DINESHBHAI CHANDUBHAI PATEL v. THE STATE OF GUJARAT** reported in **2018 (3) SCC 104** has held that when the contents of the complaint does disclose the ingredients of the offences, the matter has to be unearthed by the Investigating Officer. A specific observation is made in the judgment that the Court should not venture to quash the FIR and investigation has to be conducted. If no role is played by the petitioner in the death of the husband of the complainant, the Investigating Officer can file 'B' report. When such allegations are made in the complaint and though statement of the son is made on the very day of the incident, the same has to be taken note of by the Investigation Officer and it is the domain of

the Investigating Officer to investigate the matter and file fair report before the Court. Hence, I do not find any grounds to quash the FIR.

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

ORDER

The petition is dismissed.

Sd/-
(H.P.SANDESH)
JUDGE

MD
List No.: 1 Sl No.: 32