NC: 2026:KHC:20765
CRL.P No. 11752 of 2023

HC-KAR

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 16TH DAY OF APRIL, 2026**

**BEFORE**

**THE HON'BLE MR. JUSTICE M.NAGAPRASANNA**

**CRIMINAL PETITION NO. 11752 OF 2023**

**BETWEEN:**

GANESH RAO
AGED ABOUT 50 YEARS,
S/O RAGHURAM RAO
R/O MADOVI EMARALD FLAT NO.1005
10TH FLOOR, VIDYARATHNA NAGARA,
SHIVALLI VILLAGE, MANIPAL
UDUPI – 571 405.

…PETITIONER

(BY SMT. HALEEMA AMEEN, ADVOCATE)

**AND:**

Digitally signed by SANJEEVINI J KARISHETTY
Location: High Court of Karnataka

1. THE STATE
   BY SHO OF MANIPAL POLICE STATION,
   REPRESENTED BY
   STATE PUBLIC PROSECUTOR,
   HIGH COURT OF KARNATAKA
   BENGALURU – 560 001.

2. GOPAL C. SHETTY
   AGED ABOUT 29 YEARS,
   S/O CHANDRAPRAKASH SHETTY,
   R/O GOPAL NIVAS
   OPP. GOVINDA KALYANA MANTAPA
   76, BADAGABETTU, KINNIMULKI

UDUPI – 576 104.

…RESPONDENTS

(BY SRI B.N.JAGADEESHA, ADDL.SPP FOR R-1;
SRI SAMPATH ANAND SHETTY, ADVOCATE FOR R-2)

THIS CRL.P FILED U/S 482 CR.PC PRAYING TO QUASH THE ENTIRE PROCEEDINGS INITIATED AGAINST THE PETITIONER IN CR.NO.25/2023 OF MANIPAL P.S., PENDING ON THE FILE OF THE II ADDL.SENIOR CIVIL JUDGE AND A.C.J.M UDUPI, REGISTERED FOR THE OFFENCES P/U/S 504, 326, 307, 506 OF IPC.

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

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

**ORAL ORDER**

The petitioner is before this Court calling in question registration of a crime in Crime No.25 of 2023 for offences punishable under Sections 504, 326, 307 and 506 of the IPC.

2. Heard Smt. Haleema Ameen, learned counsel appearing for petitioner, Sri. B.N.Jagadeesha, learned Additional State Public Prosecutor appearing for respondent

No.1 and Sri Sampath Anand Shetty, learned counsel appearing for respondent No.2.

3. The petitioner is the accused in Crime No.25 of 2023, in which, pursuant to investigation, C.C.No.2178 of 2023 is registered. On the same incident that happened on 10-02-2023, one more crime in Crime No.26 of 2023 comes to be registered, which ends up in filing of a 'B' report. In the said case, the petitioner is the complainant. In the subject petition the offence alleged is the one punishable under Section 307 of IPC *inter alia*.

4. The learned counsel for the petitioner submits that both the case and the counter case must be heard by the same Court, notwithstanding the fact that one is to be heard by the Court of Session and the other by the learned Magistrate. The stage of consideration of the said submission is yet to arrive. The learned counsel would only seek time, till the order on the protest petition that is now filed before the concerned Court by the petitioner against the 'B' report that is filed in a complaint registered by the petitioner in Crime No.26 of 2023, is passed.

5. There is no warrant to keep the petition pending before the Court for the purpose what the petitioner is now projecting. Hence, I deem it appropriate to dispose the subject petition, with a direction to the concerned Court to answer the protest petition that is filed in Crime No.26 of 2023 where the police have filed the 'B' report. The concerned Court shall answer the protest petition and take the issue to its logical conclusion within an outer limit of 4 weeks from the date of receipt of the copy of this order. In the event any order would be passed against any of the parties on the 'B' report so filed, either of the parties are at liberty to approach this Court on the said order. All other contentions that are advanced in the subject petition would merit consideration in those cases at the relevant point in time.

6. The concerned Court while passing the order in the event would take cognizance by rejecting the 'B' report, shall pass necessary orders for trial to be conducted by a solitary Court, as it is a case and a counter case. This would not, however, preclude the party to approach this Court against whom the orders would be passed.

7. Accordingly, petition stands disposed.

Consequently, pending application if any, also stands disposed.

**Sd/-**
**(M.NAGAPRASANNA)**
**JUDGE**

bkp
List No.: 1 Sl No.: 2