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. 12930 OF 2025

(482(Cr.PC) / 528(BNSS))

BETWEEN:

SRI. BALENDER VENKATA,
AGED ABOUT 72 YEARS,
S/O. LATE V. VENKATA SUBBA RAO,
R/AT. NO. 43, 4TH CROSS,
3RD MAIN, NEAR KUVEMPU GOVT. SCHOOL,
HIG COLONY, SANJAYNAGAR,
BENGALURU – 560 094.

…PETITIONER

(BY SRI. M.T.NANAIAH, SENIOR COUNSEL FOR
SRI. ANIRUDH CHAMUNDA, ADVOCATE)

AND:

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

1. SRI. ASHOK KUMAR,
AGED ABOUT 69 YEARS,
S/O. LATE RAGHAVA RAO,
R/AT. BANK COLONY,
GOWRIBIDANUR TOWN – 561 208.

2. THE STATE OF KARNATAKA,
BY GOWRIBIDANUR RURAL P.S.,
REP BY SPP. HIGH COURT COMPLEX,
BENGALURU,
R-2 - ADDED VIDE ORDER DATED 20-11-2025.

…RESPONDENTS

(BY SRI. NAGABHUSHANA REDDY K, ADVOCATE FOR R1;
SMT. SOWMYA R, HCGP FOR R2)

THIS CRL.P IS FILED U/S 482 CR.PC (FILED U/S 528 BNSS) PRAYING TO QUASH THE ORDER OF TAKING COGNIZANCE DATED 15.05.2013 IN CC.NO.278/2013 FOR THE OFFENCE PUNISHABLE U/S. 405, 415, 418 AND 420 OF IPC PENDING ON THE FILE OF PRINCIPAL CIVIL JUDGE AND JMFC, GOWRIBIDANUR AT ANNEXURE-A AND ETC.,

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 seeking the following prayers:

> "I. Quash the order of taking cognizance dated 15.05.2013 in C.C.No.278/2013 for the offence punishable under Section 405, 415, 418 and 420 of IPC pending on the file of the Hon'ble Prl. Civil Judge and JMFC, Gowribidanur at Annexure A;
>
> II. Accept the B Report dated 16.12.2011 at Annexure F filed by the Gowribidanur Rural Police and close the matter in Crime No.68/2011 at Annexure E;
>
> III. Grant any other relief that this Hon'ble Court deems fit in the interests of justice."

2. Heard Sri.M.T.Nanaiah, learned Senior Counsel appearing for the petitioner, Nagabhushana Reddy K, learned counsel appearing for respondent No.1, Smt.Sowmya R,

learned HCGP appearing for respondent No.2 and have perused the material on record.

3. The petitioner gets embroiled in a crime for offences punishable under Sections 406 and 420 of the IPC *inter alia*. Though the learned Senior Counsel M.T.Nanaiah appearing for the petitioner would submit on the merit of the matter, in the light of the matter being at the stage of evidence before charge, there is no warrant of interference at the hands of this Court in exercise of jurisdiction under Section 482 of the Cr.P.C. The private complaint is of the year 2011 and on the 'B' report filed, cognizance is taken in the year 2013 on the protest memo being filed. Since the matter is pending before the concerned Court for the last 13 years, the concerned Court shall endeavour to conclude the proceedings within an outer limit of six months from the date of receipt of the copy of the order.

5. It is needless to observe that the parties to the *lis* would cooperate for the disposal of the proceedings before the concerned Court. In the event, the complainant or the accused

would not cooperate with the proceedings, the concerned Court shall pass appropriate orders in terms of the direction for conclusion of the proceedings.

Criminal Petition is **disposed**.

Sd/-
(M.NAGAPRASANNA)
JUDGE

CBC
List No.: 1 Sl No.: 82

Page No.04 is retyped and replaced vide chamber order dated 28.04.2026