HC-KAR

NC: 2026:KHC:59622
CRL.P No. 12930 of 2024

CNR: KAHC010679312024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

CRIMINAL PETITION NO. 12930 OF 2024

BETWEEN:

SMT. SUSHMITHA S,
D/O. SRINIVAS,
AGED ABOUT 30 YEARS,
R/AT.8, 18TH CROSS, 4TH BLOCK,
NEAR OLD INDIAN BANK ROAD,
PEENYA 1ST STAGE,
BANGALORE NORTH TALUK,
BENGALURU-560058.

…PETITIONER

(BY SRI MANJUNATHA N M,ADVOCATE)

AND:

1. STATE OF KARNATAKA
   BY PEENYA POLICE STATION,
   BY IT'S STATE PUBLIC PROSECUTOR,
   HIGH COURT BUILDING, BANGALORE - 01.

2. SMT. RANJINI KUMAR,
   W/O. KUMAR,
   AGED ABOUT 34 YEARS,
   R/AT NO.2, SRIVATHSA, 1ST CROSS,
   SVK LAYOUT, BASAVESHWARANAGARA,
   BANGALORE-560079.

…RESPONDENTS

(BY SRI M V ANOOP KUMAR, ADDL.SPP FOR R1,
SRI MANOJ S N,ADVOCATE FOR R2)

THIS CRL.P IS FILED U/S 482 CR.P.C (U/S 528 BNSS) BY THE ADVOCATE FOR THE PETITIONER PRAYING THAT THIS

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HONOURABLE COURT MAY BE PLEASED TO QUASH THE FIR IN CR.NO.593/2024 REGISTERED BY THE 1st RESPONDENT PEENYA P.S., FOR THE ALLEGED OFFENCE P/U/S 3(5),306,316(4),318(4) OF BNSS, 2023, ON THE FILE OF THE 3rd ACJM, BANGALORE.

THIS PETITION, COMING ON FOR ORDERS, 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 petitioner and the learned Additional SPP for respondent No.1 and learned counsel for respondent No.2.

2) This petition is filed to quash the FIR No.593/2024 registered by the Peenya Police.

3) The offences alleged are under Sections 3(5), 306, 316(4) and 318(4) of The Bharatiya Nyaya Sanhita, 2023.

4) Learned counsel for the petitioner would submit that the complaint is filed against the petitioner alleging theft, breach of trust and cheating. It is the submission that the complaint is filed without any basis.

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5) The complaint is filed allegedly based on the internal audit of the complainant/Company.

6) Learned counsel for the petitioner would submit that the complaint is nothing but a gross abuse of the process of the Court and the complaint is filed only with an intention to humiliate the petitioner, who was the employee of the Company.

7) Learned Additional SPP as well as the learned counsel for respondent No.2 would submit that the petitioner was the employee of the Company and after coming to know that the petitioner has stolen the goods which were in his custody and control of the petitioner and also pursuant to the audit, and report where the theft of the goods came to light, the complaint is filed and the matter requires investigation.

8) The Court has considered the contentions raised at the Bar and perused the records.

9) The petitioner does not dispute the fact that he was the employee of the complainant/Company. There is

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an allegation that goods have been stolen and the petitioner was in-charge and control of the goods at the time of alleged incident. Whether the alleged incident has taken place or not has to be investigated by the police.

10) The contentions raised by the petitioner based on disputed questions of facts cannot be adjudicated in a petition under Section 528 of The Bharatiya Nagarika Suraksha Sanhita, 2023.

11) Under the circumstances, petition is ***dismissed.***

12) Merely because the petition is dismissed, it does not mean that the Court has expressed anything on the merits of the complaint. Whether the incident has taken place or not has to be objectively investigated by the police and appropriate report has to be filed.

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(ANANT RAMANATH HEGDE)
JUDGE

BRN/List No.: 1 Sl No.: 0