HC-KAR
CNR: KAHC010686232026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 4TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE C.M. POONACHA

WRIT PETITION NO. 31573 OF 2026 (GM-POLICE)

BETWEEN:

1. SRI C SANATH KUMAR
   S/O H. CHANDRAPPA,
   AGED ABOUT 43 YEARS,
   R/AT NO.75, KANNUR VILLAGE,
   BIDARAHALLI HOBLI,
   BENGALURU EAST TALUK,
   BENGALURU.

…PETITIONER

(BY SRI. MANJUNATHA PRASANNA H A.,ADVOCATE)

AND:

1. STATE OF KARNATAKA
   REPRESENTED BY ITS PRINCIPAL SECRETARY,
   HOME DEPARTMENT,
   VIDHANA SOUDHA,
   BENGALURU 560001.

2. THE COMMISSIONER OF POLICE,
   BENGALURU CITY,
   BENGALURU.

3. THE STATION HOUSE OFFICER/
   POLICE INSPECTOR,
   BAGALUR POLICE STATION,
   BENGALURU CITY - 562149.

4. SMT. HASEENA MALIK,
AGED ABOUT 75 YEARS
R/AT. NO. 16. SALAPURIA SATTVA
NORTHLAND
NEAR UNITED PUBLIC SCHOOL,
KANNUR VILLAGE
BENGALURU. 562149

…RESPONDENTS

(BY SMT. PANINI A H, AGA FOR R1 TO R3
SRI. MADHU R., ADVOCATE FOR R4)

THIS WP IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECTING RESPONDENT NOS.2 AND 3 TO FORTHWITH CONSIDER THE PETITIONERS COMPLAINT DATED 22.09.2026 BEARING PETITION NO.141/2026, TOGETHER WITH HIS REPRESENTATION UNDER SECTION 173(4) BNSS, AND REGISTER AN FIR IF THE INFORMATION FURNISHED DISCLOSES COMMISSION OF COGNIZABLE OFFENCE(S), AND THEREAFTER INVESTIGATE THE SAME STRICTLY IN ACCORDANCE WITH LAW WHICH IS ANNEXED AS ANNEXURE-A AND B.

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

CORAM: HON'BLE MR. JUSTICE C.M. POONACHA

ORAL ORDER

The present petition is filed seeking for the following reliefs:

> *"(a) Issue a Writ of Mandamus or any other appropriate writ, order or direction. directing Respondent Nos. 2 & 3 to forthwith consider the Petitioner's complaint dated 22.09.2026 bearing Petition No.141/2026, together with his representation under Section 173(4) BNSS, and*

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register an FIR if the information furnished discloses commission of cognizable offence(s), and thereafter investigate the same strictly in accordance with law; which is annexed as Annexure- A and B

(b) Direct Respondent Nos. 2 & 3 to investigate, in accordance with law, the alleged acts including the demolition/removal of the pre-existing stone-slab compound/boundary, use of JCB/heavy machinery and subsequent erection of a new compound/fencing on a different alignment, without expressing any opinion upon title, possession or civil boundary herewith produced the photographs which is annexed as Annexure-G;

(c) Direct the Respondent Police Authorities to immediately take appropriate steps or preservation and collection of photographs, videos, available CCTV footage. 12-call records and other electronic evidence and identification of the JCB, other machinery/vehicles, their owners/operators and persons involved;

(d) Direct the Respondent Police Authorities to take appropriate preventive measures in accordance with law to ensure that no further forcible demolition, construction, excavation, fencing or physical alteration is undertaken otherwise through due process of law, without adjudicating the competing civil rights of parties;

(e) Reserve liberty to the Petitioner to pursue appropriate proceedings regarding restoration, possession, damages/compensation and other consequential reliefs before the competent forum;

and

(f) Pass such other order/s as this Hon'ble Court deems fit in the circumstances of the case."

2. It is forthcoming from the material on record that the petitioner has filed OS No.1965 of 2026 in the Court of

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Principal Civil Judge, Bangalore Rural District at Bengaluru[1], for injunction. The Trial Court vide interim order dated 28.09.2026 (Annexure - F to the writ petition) has directed both the parties to maintain the *status quo*.

3. It is forthcoming that subsequent to complaint dated 22.09.2026, the Trial Court has passed the order of *status quo* on 28.09.2026 in the suit filed by the petitioner.

4. It is the contention on behalf of the petitioner that since the respondents have sought to interfere with the right title and interest of the petitioner on immovable property, the petitioner has lodged a complaint on 22.09.2026 (Annexure - A to the writ petition). Alleging that no action has been taken on the said complaint, the present writ petition is filed. Although it is the vehement contention of the learned counsel for the petitioner that cognizable offences have been made out in the complaint lodged by the petitioner, in view of the fact that the Trial Court has already passed an order of *status quo* and remedies are available to the petitioner to initiate steps in

[1] Herein after referred to as "Trial Court"

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accordance with the provisions of the Bharatiya Nagarik Suraksha Sanhita, 2023, in the event any cognizable offence is committed, it is expedient that the present petition is not entertained.

5. Accordingly, the writ petition is dismissed.

6. This order will not preclude the parties from initiating/asserting remedies in accordance with law.

7. All rights and contentions of the parties in that regard are kept open.

8. Pending IAs., if any, stand disposed of.

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(C.M. POONACHA)
JUDGE

Vmb
List No.: 1 Sl No.: 47