HC-KAR
NC: 2026:KHC:59624
CRL.P No. 15792 of 2026
CNR: KAHC010710612026

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. 15792 OF 2026

BETWEEN:

MRS MANEKA SANJAY GANDHI,
W/O LATE SANJAY GANDHI,
AGED ABOUT 70 YEARS,
RESIDING AT 90,
JOR BAGH, NEW DELHI - 110003.

...PETITIONER

(BY SRI SIDHARTH LUTHRA, SENIOR COUNSEL FOR
SRI P CHINNAPPA,ADVOCATE)

AND:

MR S K MITTAL,
S/O LATE K C MITTAL,
AGED ABOUT 74 YEARS,
RESIDING AT NO. 19/1, SREE KUNJ,
3RD BLOCK, 5TH MAIN,
JAYALAKSHMIPURA MYSORE 570012

...RESPONDENT

THIS CRL.P IS FILED U/S 482 CR.PC (FILED U/S 528 BNSS) BY THE ADVOCATE FOR THE PETITIONER PRAYING THAT THIS HONOURABLE COURT MAY BE PLEASED TO A. QUASH THE ENTIRE PROCEEDINGS IN COMPLAINT CASE NO. 55434/2026, TITLED 'S.K. MITTAL V. MANEKA SANJAY GANDHI', PENDING BEFORE THE COURT OF THE LD. XLII ADDL. CHIEF JUDICIAL MAGISTRATE, BENGALURU AND ETC.

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

CORAM: HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

Digitally Signed by ANANT
RAMNATH HEGDE

CNR: KAHC010710612026

ORAL ORDER

Heard the learned Senior counsel for the petitioner.

2. This petition is filed to quash the entire proceedings in complaint No.55434/2026 pending before the XLII Additional Chief Judicial Magistrate, Bengaluru and to quash the order dated 20.08.2026 passed by the said Court in private complaint No.10116/2025 and also to quash the order dated 25.08.2026 summoning the petitioner.

3. The private complaint is filed for the offences punishable 1under Sections 499 and 500 of Indian Penal Code, 1860 ('IPC').

4. Learned Senior counsel appearing for the petitioner would submit that the complaint is filed for the offences under Sections 499 and 500 of IPC and the complaint came to be dismissed by the Trial Court vide order dated 16.11.2019. The said order was called in question by the complainant who is respondent before this Court in Criminal Revision Petition No.125/2025 and the said Criminal Revision Petition was allowed vide order dated 30.06.2025 and the order dated

Digitally Signed by ANANT RAMNATH HEGDE

16.11.2019 was set aside and the matter was remitted to the Trial Court with a direction to reconsider the facts afresh without being influenced by the observations made in the said order dated 30.06.2025.

5. Learned Senior counsel appearing for the petitioner would submit that the Trial Court, without appreciating the materials on record in a proper perspective, has taken the cognizance and has issued process.

6. It is the further submission that the Trial Court is carried away by the observations made by the Learned Sessions Judge in Criminal Revision Petition No.125/2025 and thus would submit that the petitioner has no efficacious remedy under Section 438 of Bharatiya Nagarika Surakasha Sanhita, 2023.

7. It is further submitted that in view of the facts narrated above, the petitioner is justified in invoking the jurisdiction of this Court and the petitioner approaching the same Court which has directed the Trial Court to consider the case afresh would be a futile exercise.

Digitally Signed by ANANT
RAMNATH HEGDE

8. In addition to that, learned Senior counsel for the petitioner would also urge that valid legal contentions available to the petitioner have not been considered in proper perspective.

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

10. From the records it is evident that in terms of order dated 16.11.2019 the complaint was initially dismissed. Said order was called in question before the jurisdictional Sessions Court in Criminal Revision Petition No.125/2025 and same was allowed vide order dated 30.06.2025 and the matter was remitted to the Trial Court for fresh consideration.

11. The apprehension of the petitioner that the Sessions Court will not objectively consider the petitioner's case in case revision is filed before the Sessions Court, can be adequately taken care of by making an observation that the jurisdictional Sessions Court in the event of Revision Petition being filed by the petitioner/accused, shall take all aspects into consideration and pass appropriate orders in accordance with

Digitally Signed by ANANT
RAMNATH HEGDE

law. It is made clear the Court has to independently assess the merit of the order based on the contents of the complaint and the statements recorded and the documents if any, placed before the Trial Court.

12. The jurisdictional Sessions Court shall not be influenced by the order dated 30.06.2025.

13. With these observations, the petition is ***dismissed.***

14. The time spent in prosecuting this matter from 12.10.2026 till this day has to be excluded while computing the limitation in case, petitioner seeks to file Criminal Revision Petition.

15. Registry shall return the documents to the petitioner after retaining the xerox copies.

16. At this juncture, learned Senior counsel submits that the petitioner is called upon to appear before the Court on 07.11.2026. And the petitioner is a resident of Delhi and a Senior citizen. It is further submitted till the petitioner moves the jurisdictional Sessions Court, further proceeding be stayed.

Digitally Signed by ANANT
RAMNATH HEGDE

17. Submission of the learned Senior counsel is taken on record.

18. Considering the fact that the petitioner is a resident of Delhi and a senior citizen, and the Court has relegated the petitioner to approach the jurisdictional Sessions Court, operation of the impugned order is stayed for a period of two weeks from today.

19. It is made clear that this Court has not expressed anything on the merits of the contentions of either parties . All contentions are kept open.

Digitally Signed by ANANT RAMNATH HEGDE

(ANANT RAMANATH HEGDE)
JUDGE

GVP
List No.: 2 Sl No.: 61