HC-KAR

NC: 2026:KHC:59972
CRL.P No. 16087 of 2026

CNR: KAHC010732992026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

CRIMINAL PETITION NO. 16087 OF 2026

BETWEEN:

SMT. SUJATHA SHANMUGAM,
W/O. SRI K.V. RAJASHEKARAIAH,
AGED ABOUT 53 YEARS,
R/AT. NO. 50, 2ND A CROSS,
OPP. PETROL BUNK, MUNESHWARANAGAR,
PADMANABHANAGAR, BENGALURU SOUTH,
BENGALURU - 560 061.

…PETITIONER

(BY SRI P P HEGDE, SR. ADVOCATE FOR
SRI KEERTHI KRISHNA REDDY,ADVOCATE)

AND:

1. THE STATE OF KARNATAKA BY
PUTTENAHALLI POLICE STATION,
BENGALURU CITY,
REPRESENTED BY
STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
BENGALURU - 560 001.

2. SMT. AISHWARYA S. KRISHNA,
W/O. SRI RAJASHEKAR Y.R.,
AGED ABOUT 37 YEARS,
17TH CROSS, 22ND MAIN ROAD,
R/AT. NO. 1/1, SSK NURSERY, J.P. NAGAR 5TH
PHASE, BENGALURU -560078.

…RESPONDENTS

(BY SRI NAGHARISH G S, HCGP FOR R1,
SRI CHOKKA REDDY,ADVOCATE FOR R2)

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RAMNATH HEGDE

CNR: KAHC010732992026

THIS CRL.P IS FILED U/S 482 CR.PC (FILED U/S 528 BNNS) BY THE ADVOCATE FOR THE PETITIONER PRAYING THAT THIS HONOURABLE COURT MAY BE PLEASED TO QUASH THE FIRST INFORMATION REPORT IN CRIME NO. 335/2026 REGISTERED BY THE PUTTENAHALLI POLICE STATION, BENGALURU CITY, ON 17.10.2026 FOR THE OFFENCES PUNISHABLE UNDER SECTIONS 76, 77, 79, 115(2), 189(2), 304(2), 324(4), 329(4) AND 351(2) R/W SEC. 190 OF THE BHARATIYA NYAYA SANHITA, 2023, PENDING ON THE FILE OF THE XXX ADDITIONAL CHIEF JUDICIAL MAGISTRATE, BENGALURU CITY, AND ALL FURTHER INVESTIGATION ARISING THEREFROM, INSOFAR AS THE PETITIONER IS CONCERNED (ANNEXURES - A AND B).

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

CORAM: HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

ORAL ORDER

Heard the learned Senior counsel appearing for the petitioner, the learned High Court Government Pleader appearing for respondent No.1-State and the learned counsel for respondent No.2 who has entered appearance before issuance of notice.

2. This petition is filed to quash the First Information Report and complaint in Crime No.335/2026 registered by the Puttenahalli Police Station, Bengaluru city on 17.10.2026.

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3. The offences alleged are under Sections 76, 77, 79, 115(2), 189(2), 304(2), 324(4), 329(4) and 351(2) read with Section 190 of Bharatiya Nyaya Sanhita, 2023.

4. Learned Senior counsel appearing for the petitioner would submit that the petitioner is not named in the complaint and not named in the FIR. However, the petitioner is called upon to visit the Police Station to settle the dispute.

5. It is the submission of the learned Senior counsel that the petitioner has purchased the property under a registered sale deed dated 04.09.2026 and this property is entirely different from the property mentioned in the complaint. That being the position the Police cannot compel the petitioner to visit the Police Station and settle the dispute as per the terms of the Police and the complainant.

6. Learned High Court Government Pleader would submit that there is an allegation regarding demolition of the structure in the property. In addition to that, there is an allegation of assault, as such, the matter requires investigation.

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7. Learned counsel appearing for respondent No.2 would submit that in respect of a property owned by respondent No.2, a civil suit is pending in O.S.No.6748/2022 and the suit was filed against the vendor of the petitioner and in the said suit, the interim order was granted in favour of the mother of respondent No.2 with effect from 07.09.2023 and petitioner's vendor is restrained from interfering with the possession of respondent No.2.

8. It is the further submission that the suit is pending in respect of the same property for which the complaint is filed and merely because a different description is shown in the sale deed does not mean the alleged incident has not taken place.

9. Learned Senior counsel appearing for the petitioner by way of reply would submit that one more suit in O.S. No.7922/2026 is pending and the said suit is filed by respondent No.2 and the schedule in the second suit is also similar to the schedule in the complaint and the petitioner has filed one more suit in O.S. No.7956/2026 in respect of the property purchased by the petitioner. It is the submission that the properties are different.

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10. Learned counsel appearing for respondent No.2 would contend that the petitioner and others who are not named in the complaint have trespassed into the property which is the subject matter of the suit filed by the mother of respondent No.2 and only after the purchase during the pendency of the suit, the alleged incident has taken place.

11. Learned Senior counsel appearing for the petitioner would submit that the Police have no jurisdiction to call the petitioner to settle the dispute and in case there has to be an investigation, it has to be in accordance with law and a proper notice has to be issued to the petitioner.

12. Learned Senior counsel would also submit that the petitioner has the recording of the threat given by the Police while calling upon the petitioner to visit the Police Station and it is the further submission that the petitioner has the call records of the calls made by the Police who repeatedly asked the petitioner to visit the Police Station.

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

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14. The Court is of the view that the dispute appears to be relating to an immoveable property and the dispute is relating to identity of the property. The Police cannot insist upon the petitioner to settle the dispute as per the terms imposed by the Police or by respondent No.2. However, since there is an allegation of destruction of the structure and allegation of assault, there has to be an objective investigation into the matter.

15. The Police will have to follow the procedure. They have to issue the notice to the petitioner.

16. The petitioner is at liberty to furnish all the records in case he is called upon to join the investigation.

17. With these observations the Criminal Petition is ***disposed of.***

18. It is made clear that this Court has not expressed anything on the merits or demerits of the contentions of both the parties. All contentions are kept open.

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19. Observations made in this order should not be construed as having expressed any opinion on the merits of the pending civil suits.

20. Any report to be filed by the Police is not reflection of opinion of the title dispute pending between the parties.

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(ANANT RAMANATH HEGDE)
JUDGE

GVP
List No.: 2 Sl No.: 43