

The complainant has filed private complaint under section 223 of BNSS, 2023 for the offences punishable under sections 316(1), (2) and (3), 318(1) and (2) and 351(1) and (2) of BNS, 2023.

2. Perused the complaint and heard advocate for complainant.

3. The complainant was owns and possess a residential plot bearing Katha No.37, measuring east to west $21.5+33.5/2$ and north to south $53.5+55/2$ feet totally measuring 1491.25 sq. feet situated at A.Narayanapura Village, K.R.Puram Hobli, Bangalore East Taluk. The complainant acquired the said property by virtue of registered partition deed dated 30.05.2012. The complainant and accused were acquainted to each other and often casual talks were taking place between the complainant and the accused. At that juncture the accused happened to know about the said residential plot situated at A.Narayanapura Village, K.R.Puram Hobli, Bangalore east talu, The accused No.1 suggested and offered an idea to the complainant regarding construction of building consisting of rented houses and enhance the income. The complainant told the accused persons that they were innocent and have no worldly knowledge and they have no idea, support,

assistance, both morally and financially. The accused persons assured and promised the complainant that they would take care of everything. The complainant was blindly believed the accused persons in good faith and agreed for construction of building in the said residential plot. Thereafter, the accused persons collected all the property documents of the said residential plot from the complainant. The accused persons in the guise of constructing five floors building the accused persons mortgaged the said documents in the bank and obtained loan of Rs.27,00,000/- from the bank and demanded the more money for constructing the building. The complainant was also paid Rs.23 lakhs by pledging the gold ornaments in the bank, Rs.20 lakhs by withdrawing the amount from the Union Bank of India and another sum of Rs.10 lakhs received from the complainant husband. Thereafter, the accused persons were started the construction work and have raised walls

up to lintel level and stopped the construction work. Whenever the complainant inquired and questioned the accused were replied they would commence the construction. But the accused persons were discontinued the construction work and not paid the emi of the bank loan amount and when inquired the same to the accused persons they were gave life threat her and thereby the accused have committed the offences punishable under section 316(1), (2) and (3), 318(1) and (2) and 351(1) and (2) of BNS, 2023.

4. Though the complainant has lodged a complaint before the Mahadevapura Police Station but they have not been taken any action. The complainant has also complained the same to the superior officer of the Police, but no action has been taken. The complaint is supported with a affidavit sworn to by the complainant. The court feels that this is a fit case to refer the matter for investigation.

ORDER

Acting under section 175(3) of BNSS, 2023 the case is referred to the PSI/SHO of Mahadevapura Police Station with a direction to register the case, investigate the matter and submit his report as early as possible.

Issue directions accordingly.

Await final report by 05.04.2025.

(Dictated to the stenographer directly on computer, corrected, signed and pronounced by me in the open court on this the 31st day of January, 2025).

III ACJM, Bengaluru.