

**IN THE COURT OF III ADDITIONAL CHIEF JUDICIAL
MAGISTRATE, AT BENGALURU**

PRESENT
SRI.SIDDARAMA .S. M.A., LL.M.
III ACJM, BENGALURU.

PCR No.7793/2023
Cr.No.0160/2023

THIS IS THE 21st DAY OF NOVEMBER, 2025

Complainant : State by Rajajinagar Police
Station, Bengaluru.

V/s

Accused Persons: 1. Smt.Bhagya
W/o Oblesh,
Aged about 51 years,
R/o At No.120A, 2nd Cross,
5th Main Road, 4th Block,
Rajajinagar,
Bengaluru – 560 010.

2. Smt.Lakshmi
W/o Jagadish,
Aged about 34 years,
R/o at No.17/1, 13th Main Road,
Nanjappa Badavane,
Kamakshipalya,
Basaveshwaranagar,
Bengaluru – 560 079.

ORDER ON B REPORT

The complainant has filed this private complaint under section 200 of Cr.PC against accused No.1 and 2 for the offence punishable under section 406, 415, 420 and 120B read with section 34 of IPC.

2. This court referred the matter for investigation to the Rajajinagar PS. On the basis of the information the SHO of Rajajinagar Police Station has registered the FIR in Crime No.0160/2023. The IO after investigation submitted 'B' report that the IO intimated her to appear before the IO and not produce the documents on various times but the complainant did not appear before him for investigation and did not produced any supportive documents.

3. The complainant has filed protest petition to 'B' report. In the protest petition it is contended that the "B" report submitted by the Police is not sustainable in law or on facts. The Police have not properly looked into the averments of the complaint and the allegations made against the accused persons are heinous offences of cheating, fraud etc. The Police have not at all issued any opportunity to the complainant to cooperate with the investigation of the allegations leveled against the accused persons. Hence, the alleged B report is illegal and cannot be acceptable. The complainant being the pregnant women gone to Kerala, and she was under the impression that the Police will issue notice to her to appear before them, but there was no notice issued to the complainant and reiterated the facts of the case. The modus operandi of both accused is to defraud in repayment of the chit amount to the complainant. The said chit amount is a hard earned money of the complainant. By virtue of the above the complainants and counters complainants , the Police have got full knowledge about the cheating and other offence

committed by the accused even though they are holding the documents which are sufficient to take action against the accused to file FIR and charge sheet against the accused. But they have colluded with the accused and filed B report and prayed to reject the B report.

4. Heard the arguments and perused the materials on record.

5. After hearing the parties and on perusal of records, the following points arose for my consideration.

1. Whether the PSI of Rajajinagar PS filed the B report is deserves to be allowed ?

2. What order?

6. My findings to the above points are as follows:

POINT No.1: In the Negative.

POINT No.2: As per final order for the following:-

REASONS

7. The case of the prosecution is that the accused allegedly had subscriber two chits for a sum of Rs.2 lakhs each and paying subscription of Rs.20,000/- per month. The chits were the completed on 22.10.2019. When the complainant demanded for the chit amount to the accused No.1, she requested her, the accused No.2 is in need of money to purchase a house property and asked the complainant to help the accused No.2. The accused No.1 upon the consent of

complainant handed over Rs.4 lakhs to the accused No.2. The accused No.2 did never bother to repay the money. When the complainant demanded the accused No.1 and 2 to repay the money they quarreled with the complainant, abused her with filthy words and threats to the life etc., and thereby the accused persons have committed the above alleged offences.

8. This court referred the matter for investigation to the Rajajinagar PS. The IO after investigation submitted 'B' report that the complainant has not appeared before him for investigation.

9. On reading of the complaint averments it discloses the commission of alleged criminal offences, the 'B' report is filed only on the ground that there is no satisfactory evidence materials available to file charge sheet and also the complainant has failed to produce the documents and secure the witnesses. However, the said evidence can be produced in the court of trial and it is for the complainant to adduce evidence and produce materials in support of allegations made in the complaint. On perusal of materials on record the IO has not investigated the accused person and not seized any materials and not obtained any statement from them and stated that the complainant has not cooperated for investigation and not furnished the supported documents. Considering the facts and circumstances of the case this Court is of the opinion that it is not necessary to refer the case to the Police for investigation. If any required to collect evidence by Police, the complainant can collect as per section

202 of Cr.PC. It is necessary to give an opportunity to the complainant to prove the case. There is no sufficient materials to take cognizance at this stage if complainant able to produce documents to attract above offences and proceed the case then it can be proceeded. Therefore, 'B' report is liable to be rejected. Hence, this court answered **Point No.1 in the Negative.**

10. Point No.2: For the foregoing reasons I proceed to pass the following:

ORDER

The 'B' report filed by the investigating officer of Rajajinagar Police Station is hereby rejected.

The complainant is permitted to prove her case of examining herself and other witnesses.

For sworn statement.

(Dictated to the stenographer directly on computer, typed by him, corrected and then signed and pronounced by me in the open court on this the 21st day of November, 2025).

III ACJM, Bengaluru.