

04.12.2025

ORDER

This is a complaint filed under Section 223 of BNSS, 2023 for the offences punishable under Sections 316, 318 and 319 of BNS, 2023.

The complainant has sought to refer the matter for investigation to the Jeevan Bheema Nagar Police Station as per Section 175(3) of BNSS, 2023. Received the written submission of the PSI of Jeevan Bheema Nagar Police Station.

Heard and perused the records.

The complaint would disclose that complainant-Hotel Industries Operates food and beverages outlet across India, while accused working as General Manager the complainant entrusted the responsibility to manage the day today operations of his hotel industries, accused diverted the fund of Rs.28 Lakhs to his personal bank account without authorization of the complainant, accused misappropriated additional amount of Rs.5 Lakhs representing that it was given as discounts to the guests. He lodged complaint before Jeevan Bheema Nagar Police Station. They have issued an endorsement stating that it is a financial dispute. Complainant also sent a complaint to the Commissioner of Police, Bengaluru. No action was taken against the accused by the police.

Material on record prima-facie show that the accused has committed an offence of misappropriation of funds. PSI of Jeevan Bheema Nagar PS filed written

submission stating that it is a financial dispute. The complaint allegations would show that the offence is non-cognizable. Therefore, PSI of Jeevan Bheema Nagar PS requires permission of the court to investigate into the offence by registering FIR.

After considering the application supported by an affidavit, complaint, documents and submission made in this regard, I opine that, it is just and necessary to refer the matter for investigation to the SHO of Jeevan Bheema Nagar Police Station. Thus, I pass the following:

ORDER

SHO, Jeevan Bheema Nagar Police Station is permitted to investigate into the offence by registering FIR against the accused persons.

The matter is referred for investigation under Section 174(2) of BNSS, 2023 to the SHO, Jeevan Bheema Nagar Police Station.

Office is directed to send the authenticate copies of the complaint and documents to the SHO of Jeevan Bheema Nagar Police Station.

Await final report by: 26-03-2026

IV ACJM, BENGALURU.