

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

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

PCR No.20207/2021
Cr.No,61/2022

THIS IS THE 29th DAY OF SEPTEMBER, 2025

Complainant : State by High Grounds Police Station,
Bengaluru.

V/s

Accused Persons: Smt.Shashikala Rajashekar and Others.

ORDER ON B REPORT

The complainant has filed this private complaint under section 200 of Cr.PC against accused persons for the alleged commission of offence punishable under section 403, 406, 415, 420, 465, 467, 471, 474, 384, 380, 120(B) of IPC.

2. On the basis of the information the SHO of High Grounds Police Station has registered the FIR in Crime No.0061/2022 and investigated the matter and submitted 'B' report as the case is civil in nature.

3. The complainant filed protest petition to 'B' report. In the protest petition narrated the facts of the case and it is further contended that upon concluding their investigation has filed a final report in the nature of B report on 23.12.2022. If B report read to its face value believing it to be

the gospel truth no grounds are made out to satisfy a closure report, no reasons are stated by investigating Police for filing of the closure report. The entire allegation of the defacto complainant was that the accused person in collusion with the staff of the Agadi Hospital and the Officer of the Sub-Registrar, Jayanagar (Shantinagar) have proceeded to illegally get executed a settlement deed dated 02.12.2020 from the husband of the defacto complainant herein who at which point in time was suffering from a serious health issue to which he succumbed soon after his discharge on 16.12.2020. The accused persons during their stay at the defacto complainant and her husband have stolen several gold and diamond articles worth lakhs of rupees along with several valuable documents for which the defacto complainant had filed a complaint before the Police which came to be registered as a non cognizable report in NCR No.93/2021 and during the investigation of the same the accused persons appeared before the Police and handed over few of the jewelers belonging to him and as all the jewelers were not returned and she would filing fresh complaint with respect to the same against them. The Police have conducted a lopsided, biased investigation and have failed to seek an opinion from any other professional Doctors disassociated from Agadi Hospital and have proceeded in a mechanical manner and filed B report in order to favor and support to the accused persons. The Sub-Registrar have colluded and conspired with the accused persons and have gotten alleged document executed. As per the medical report

dated 01.12.2020 the husband of the defacto complainant was not at all in a position to sign and therefore we had to take his thumb impression, which goes to show that the husband of the defacto complainant was suffering from various age old ailments and was always kept on high care by providing continuous medications which would absolutely make an ailing person mentally weak an unstable and prayed to set aside the B report filed by the IO and re-investigate by special investigating agency or by a higher ranked Police official or to take cognizance and issue process to secure the presence of the accused in the interest of justice.

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 High Grounds 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 the complainant was having three children namely Keshav Pondi, Jayanthi

Murugesh and Shashikala Rajashekar and grand son Tarun Murugesh i.e., accused No.1 to 4. On 19.11.2020 the husband of the complainant under gone treatment at Sparsh Hospital and after getting him and admitted at the Agadi Hospital. The complainant informed her children about the condition of their father. The children and their husband were came to Bengaluru to see their father and stayed at complainant house. At that time the children were without knowledge of the complainant stolen the gold, diamonds and also they were fraudulently forged the complainant and her husband signature on the some property documents and registered the same with the help of accused No.5 and 6 and thereby the accused persons have committed the above alleged offences.

8. This court referred the matter for investigation to the High Grounds PS. The IO after investigation submitted 'B' report that the case is in civil nature.

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 the case is civil in nature. 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 persons and not seized any materials 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 his 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 High Grounds Police Station is hereby rejected.

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

(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 29th day of September, 2025).

III ACJM, Bengaluru.