

**ORDER ON IA NO.1 U/S.438 AND
440 OF BNSS**

The learned counsel for revision petitioner has filed the application with affidavit of the revision petitioner seeking stay of order dated 14.07.2026 u/s.107 of BNSS passed by the Learned IV ACMM Court, Bengaluru by allowing 3 requisitions filed by the police Sub-inspector of Kengeri PS and ordered the attachment of gold and also directed the Muthoot Finance, Manapuram Finance and Fed Bank Financial Services, Kengeri, Bengaluru shall comply the order within 15 days from the date of complainant furnishing the bonds.

On the other hand Learned PP has filed objections stating that the accused No.1 himself gave voluntary statement that he has pledge the stolen ornaments at Manapuram Finance, Muthoot Finance and the said gold ornaments belongs to Karuru Vysya Bank who is the complainant in the case. The Karuru Vysya Bank is the necessary party to

be impleaded in this petition otherwise the petition is not maintainable. If the impugned order dated 14.07.2026 in Cr. No.489/2025 is stayed, it would cause hamper to the investigation and the victim will suffer to his right to have the gold items mentioned in the impugned order dated 14.07.2026. Accordingly prays to reject the IA No.1.

The Learned PP has argued in line with the objections filed.

Now the point that arise for consideration is:-

Whether the reasonable grounds exist at this stage to stay the order?

My answer to the above point is as per the following:-

REASONS

The learned counsel for revision petitioner has argued that as per Sec.107 of BNSS, the learned Magistrate has to direct the District Magistrate to distribute the articles when there are more number of claimants, whereas there is no such direction in the impugned order

and hence the order requires to be stayed.

Perused the papers and the affidavit with the IA No.1 and this court of the view that impugned order requires to be stayed having regard to Sub Section 6 and 7 of Sec.107 of BNSS as the matter requires detail hearing. Hence the following;

ORDER

The impugned order dated 14.07.2026 in so far as handing over of property to the Muthoot Finance, Manapuram Finance and Fed Bank Financial Services is hereby stayed till next date of hearing.

To produce documents if any and for final arguments, by 03.08.2026

Sd/-
29.07.2026
LXV ACC & SJ, (CCH-66)
Bengaluru