



HC-KAR

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NC: 2026:KHC:11243
CRL.P No. 671 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.NAGAPRASANNA

CRIMINAL PETITION NO. 671 OF 2026 (482(Cr.PC) /
528(BNSS)

BETWEEN:

SRI. STEVEN RAJ R @STEVU
S/O RAVI P
AGED ABOUT 30 YEARS,
R/AT RENTD HOUSE OF NAGARAJ,
2ND MAIN, 3RD CROSS,
SREE GANDHANAGAR, HEGGANAHALLI
BENGALURU - 560 091,
AND ALSO R/AT NO.61,
WARD NO.08, BIDADI,
RAMANAGAR DISTRICT - 562 109.

...PETITIONER

(BY SRI. PRAKASHA M, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPT., BY STATION HOUSE OFFICER
MADANAKANAHALLI POLICE STATION
BENGALURU - 562 162,
REPRESENTED BY SPP
HIGH COURT OF KARNATAKA
BENGALURU - 560 001.
2. SRI. NAGARAJU
S/O SRI. LATE RANGASWAMY





AGED ABOUT 40 YEARS,
RESIDING AT SREE LAXMIRANGANATHA
AUTO CONSULTATIVE,
MAGADI MAIN ROAD,
CHIKKAGOLLARAHATTI,
DASANPURA HOBLI,
BENGALURU NORTH TALUK - 562 123.
PERMANENT RESIDING AT
ANNESHATHRIPALYA VILLAGE
THIPPASANDRA HOBLI,
MAGADI TALUK,
RAMANAGARA-DIRST - 562 109.

...RESPONDENTS

(BY SRI. VINAY MAHADEVAIAH, HCGP FOR R1)

THIS CRL.P IS FILED U/S 482 OF CR.PC (FILED U/S 528
BNSS) PRAYING TO QUASH THE ENTIRE PROCEEDINGS IN SC
NO.266/2024 (SC NO .80/2015) (CRIME NO.496/2014)
REGISTERED BY THE MADANAYAKANAHALLI POLICE STATION
BENGALURU OFFENCES P/U/S 143, 147, 148, 120(B), 448,
427, 307, 302, 114, 202 READ WITH SECTION 149 OF IPC ON
THE FILE OF THE PRL.DISTRICT AND SESSIONS JUDGE,
BENGALURU RURAL DISTRICT, BENGALURU.

THIS PETITION, COMING ON FOR ADMISSION, THIS DAY,
ORDER WAS MADE THEREIN AS UNDER:



CORAM: **HON'BLE MR. JUSTICE M.NAGAPRASANNA**

ORAL ORDER

Heard Sri. Prakasha M., learned counsel appearing for the petitioners and Sri. Vinay Mahadevaiah, learned High Court Government Pleader appearing for respondent No.1.

2. The petitioner is accused No.6, who gets embroiled in a crime in crime No.496/2014 registered for offences punishable under Section 143, 145, 147, 148, 302, 149 of the Indian Penal Code, 1860 ('the IPC' for short).

3. The co-accused, who underwent a trial have all been acquitted of the offence. The Co-ordinate Bench considering the case of accused No.8, who had also escaped trial has quashed the proceedings by the following order:

"The petitioner - accused No.8, who is facing trial for the offences punishable under Sections 143, 147, 148 120(B), 448, 427, 307, 302, 114, 202 read with Section 149 of IPC, is before this Court seeking relief.

2. The prosecution alleges that on 18.10.2014, the accused conspired to kill the deceased - Muniraju, who was involved in the case of murder of Vishwanatha @ Vishwa, and accordingly, on 20.10.2014, all accused together formed an unlawful assembly with the common object of committing the murder of deceased Muniraju, and came near Kadabagere Cross, and armed with deadly weapons. Accused No.1, assaulted deceased Muniraju, twice on the head with a chopper, Accused



No.2 assaulted on the head of the deceased with a chopper, Accused No.3 assaulted on the forehead and nose of the deceased with a chopper, and Accused No.4 assaulted on the back, flank, and neck of the deceased with a chopper and intentionally caused his death.

3. Perusal of the charge sheet material indicates that the charges against the accused are similar, and they are not distinct, and separate.

4. The trial was split up, since accused No.8 remained absconded, and the trial was conducted against accused Nos.3 to 5 and 7 and 10. All the eyewitnesses to the alleged incident have turned hostile, and all the material witnesses were examined.

5. The Trial Court after appreciating the evidence on record, recorded a finding that the prosecution had failed to establish the guilt of the accused beyond all reasonable doubt and passed the judgment of acquittal. The judgment of acquittal passed in relation to the said accused has attained finality. The allegation against the petitioner - accused No.8 is similar to that of accused Nos.3 to 5 and 7 and 10.

6. It is settled law that when there are no separate and distinct allegations made against the petitioner - accused No.8 herein and other accused persons, and when the other accused persons are acquitted, it would amount to an abuse of process of law if the prosecution is ordered to be continued against the petitioner herein.

7. In CrI.P.No.6857/2020, the co-ordinate Bench of this Court has held that the judgment of acquittal of co-accused would not be admissible within the meaning of Sections 40 to 44 of the Evidence Act and as such, the benefit of acquittal cannot be extended to the co-accused. However, in the said case, the decision was rendered in the context that only two witnesses viz., PWs.1 and 2 who were examined, and having not supported the case of the prosecution, but the eyewitnesses to the incident and other witnesses had not been examined before the Trial Court.



8. In the instant case, the prosecution has examined all the charge sheet witnesses, and also marked the documents which were produced along with the charge sheet, and yet has failed to prove its case beyond all reasonable doubt.

9. Having regard to the fact that all the prosecution witnesses were examined, and the prosecution having failed to prove its case beyond all reasonable doubt resulting in the acquittal of co-accused, it would be a futile exercise, if the petitioner is subjected to trial since the probability of his conviction is remote and bleak. It is therefore deemed appropriate to quash the impugned proceedings, so as to prevent the abuse of process of law and to maintain parity,.

10. Accordingly, the petition is allowed. The impugned proceedings in SC No.266/2024 connected with SC No.269/2024 pending on the file of the learned Principal District and Sessions Judge, Bengaluru Rural District, Bengaluru, insofar as it relates to the petitioner - accused No.8 is hereby quashed.

The petitioner being accused No.6 also did not participate in the trial. Though the persons, who would not participate in the trial or escape trial should not be shown any indulgence.

4. The issue in the *lis* is that the offences are identical, witnesses are the same and the documents that would be produced would also be the same, while the same documents cannot lead to acquittal of a few and a conviction of a few. In that light, to save precious judicial time, I deem it appropriate to exercise jurisdiction under Section 528 of the BNSS to obliterate the proceedings against the petitioner.



5. For the aforesaid reasons, the following:

ORDER

- (i) The criminal petition is ***allowed.***
- (ii) The proceedings in SC.No.266/2024 (SC.No.80/2015) pending on the file of Principal District and Sessions Judge, Bengaluru Rural District, Bengaluru stands quashed.

**Sd/-
(M.NAGAPRASANNA)
JUDGE**

JY
List No.: 1 Sl No.: 14