



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.NAGAPRASANNA

CRIMINAL PETITION NO.1895 OF 2026

BETWEEN:

1. MR.MOHAMMAD SADIQ SHAIK
AGED ABOUT 37 YEARS,
S/O MUSTHAK AHAMED SHAIK
PERMANENT RESIDENT OF NO.1327,
3RD CROSS, MANJUNATHA LAYOUT
BANGALORE NORTH,
KARNATAKA - 560 032

2. MRS. ROSHAN
AGED ABOUT 57 YEARS,
S/O MUSTHAK AHAMED SHAIK
PERMANENT RESIDENT OF # 1327,
3RD CROSS, MANJUNATHA LAYOUT,
BANGALORE NORTH,
KARNATAKA- 560 032

...PETITIONERS

(BY SRI. ABHIMANYU ARJUN DEVAIAH T., ADVOCATE)

Digitally signed by
SANJEEVINI J
KARISHETTY
Location: High
Court of Karnataka



AND:

1. THE STATE OF KARNATAKA
BY R.T. NAGAR POLICE STATION
REPRESENTED BY SPP
HIGH COURT BUILDING,
BENGALURU - 560 032
2. MR. ANANDIT SINGH
AGED ABOUT 27 YEARS
OLD ADDRESS: NO.2, 1ST CROSS
BRUNDAVANA LAYOUT
HULIMAVU, BANGALORE CITY
BENGALURU -560043
NEW ADDRESS:
VTC: NO.146, 1ST MAIN
1ST CROSS, CHIKKAMMA BUILDING
IMMADIHALLI, WHITEFIELD
BENGALURU - 560 066

...RESPONDENTS

(BY SRI. B.N. JAGADEESHA, ADDL. SPP FOR R1)

THIS CRL.P FILED U/S 482 OF CR.P.C (FILED U/S 528 BNNS) BY THE ADVOCATE FOR THE PETITIONER PRAYING THAT THIS HONOURABLE COURT MAY BE PLEASED TO QUASH THE FIR, COMPLAINT CHARGE SHEET AND ENTIRELY OF PROCEEDINGS IN THE C.C.NO.3315/2022 FOR THE OFFENCES P/U/S 498(A) OF THE IPC AND SECTIONS 75 OF THE JJ ACT PENDING BEFORE THE XXXII ADDL.CJM AT BENGALURU INSO FAR AS THE PETITIONERS ARE CONCERNED.

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



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

ORAL ORDER

The petitioners are before this Court, seeking the following prayer:

- "a. Call for the records in the C.C 3315/2022 for offences punishable under section 498(A) of the Indian Penal Code and section 75 of the J.J Act, pending before the XXXII Additional Chief Judicial Magistrate, at Bengaluru.
- b. Quash the FIR, Complaint, Chargesheet and entirety of proceedings in C.C 3315/2022 for offences punishable under section 498(A) of the Indian Penal Code and section 75 of the J.J Act, pending before the XXXII Additional Chief Judicial Magistrate, at Bengaluru insofar as the Petitioners are concerned.
- c. Grant such other relief/s as this Hon'ble Court deem fit to grant in facts and circumstances of the case."

2. Heard Sri. Abhimanyu Arjun Devaiah T., learned counsel appearing for the petitioners, Sri. B.N. Jagadeesha, learned Addl. SPP appearing for respondent No.1 and have perused the material on record.

3. Charges have already been framed in the case at hand in the year 2023. Therefore, in the light of the judgment



of the Apex Court in the case of **MINAKSHI BALA V. SUDHIR KUMAR¹**, there is no warrant of interference with the proceeding at this juncture.

4. Learned counsel appearing for the petitioners submits that the accused exempted from appearance before the concerned court. The application of the kind being filed before the concerned Court, it is needless to observe that the concerned Court would pass necessary orders answering the application on its merit.

5. Learned counsel would further submit that due to non-appearance, there is proclamation hanging on the head of the petitioners.

6. In the event the petitioners would appear on the next ensuing date before the concerned Court, the proclamation would be obliterated.

¹ (1994) 4 SCC 142



7. In the event the petitioners would not appear before the concerned Court on the next date, the proclamation would swing back into action.

8. In the light of the issue being of the year 2021, the concerned Court shall endeavour to conclude the proceedings within an outer limit of six (6) months, if not earlier, in accordance with law.

With the aforesaid observations, the petition stands disposed.

SD/-
(M.NAGAPRASANNA)
JUDGE

SJK
List No.: 1 Sl No.: 40