



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 21ST DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.NAGAPRASANNA

WRIT PETITION NO. 4879 OF 2026 (GM-RES)

BETWEEN:

ANKIT VISHWAKARMA
AGED ABOUT 24 YEARS,
S/O RAJESH VISHWAKARMA
R/A NO.71, 10TH MAIN, 3RD CROSS,
ULLALA MAIN ROAD,
BENGALURU CITY - 560 125.

...PETITIONER

(BY SRI SHRIRAMA ADIGA, ADVOCATE)

AND:

1. STATE OF KARNATAKA
CUBBON PARK P.S
REPRESENTED BY HCGP
HIGH COURT OF KARNATAKA
BENGALURU - 560 001.
2. PRABHUSWAMY
POLICE SUB INSPECTOR
ASHOK NAGAR POLICE STATION
BENGALURU 560 002.

...RESPONDENTS

(BY SRI B.N.JAGADEESHA, ADDL. SPP FOR R1 & R2)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 & 227
OF THE CONSTITUTION OF INDIA, PRAYING TO QUASH THE
COMPLAINT FILED BY RESPONDENT NO.2 BEFORE RESPONDENT
NO.1-POLICE DATED 24.04.2025 VIDE ANNEXURES-A AND B AND
ETC.,





THIS PETITION IS COMING ON FOR FRESH MATTERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE M.NAGAPRASANNA

ORAL ORDER

Heard the learned counsel Sri. Shrirama Adiga, appearing for the petitioner, Sri.B.N.Jagadeesha, learned Additional SPP appearing for respondents and have perused the material on record.

2. The petitioner is before this Court, seeking the following prayer:

"WHEREFORE, the Petitioners most humbly pray that this Hon'ble court may kindly be pleased to :

- a. *Issue a Writ of Certiorari Quash the complaint filed by Respondent No.2 before the Respondent No.1 police dated 24.04.2025. vide **Annexure-A** and*
- b. *Issue a Writ of Certiorari for quash the First Information Report, filed by the Respondent No. 1 in Cr No. 59/2025 against the petitioners by the 1st Respondent Police dated 24.04.2025 for offences punishable u/s. 318(4) of BNS 2023 pending on the file of XLI ACJM, at Bengaluru vide **Annexure-B** and;*
- c. *Issue a Writ of Certiorari to quash Charge Sheet in C.C No 43921/2025 on the file of XLI ACJM, at Bengaluru vide **Annexure-C**.*
- d. *Issue any other order or direction as this Hon'ble Court deems fit and proper under the*



facts and circumstances of this case to meet the ends of Justice."

3. Learned counsel appearing for the petitioners would submit that the issue in the *lis* stands covered by the judgment rendered by this Court in Crl.P.No.7476/2025 disposed on 27.05.2025, wherein it has held as follows:

- "1. *Learned High Court Government Pleader accepts notice for respondent-State.*
2. *The petitioner is before this Court seeking for the following reliefs:*

"WHEREFORE, the petitioner prays that this Hon'ble may be pleased to:

- i. Quash the F.I.R. initiated by the respondent/Police in FIR No.0215/2025 therein, for the offence punishable under Sec.318(4) of Bharatiya Nagarika Suraksha Sanhita, 2023, pending before the 41st Addl. C.M.M COURT, Nrupatunga Road, Bengaluru, against the petitioner;"*
3. *The FIR in 215/2025 has been registered by the Bellanduru Police Station on the allegation that the petitioner had purchased tickets for the Indian Premier League to be held in the Chinnaswamy Stadium, Bengaluru for a sum of Rs.1200/- per ticket and sold ten of those tickets to certain others at Rs.6,000/- per ticket and on that basis an offence under Section 318(4) the Bharatiya Nyaya Sanhita, 2023 (for short, 'the BNS, 2023') is alleged against the petitioner.*



4. *The submission of learned counsel for the petitioner is that the petitioner had booked the tickets but due to certain unavoidable circumstances could not attend the said match and in that background he sold the tickets, there being no restriction for such sale or resale since the tickets are transferable.*
5. *In that regard, he relies upon the decision of the Hon'ble Punjab and Haryana High Court in **MANDEEP SINGH Vs. STATE OF U.T. CHANDIGARH AND ANOTHER** reported in **2015 SCC online P&H 13773** on particularly paragraph-15 thereof which is reproduced hereunder:*

"15. In India, there is no legal restriction against reselling match tickets. There is a restriction for transfer of some train tickets but not all of them and are non-transferable. It is not the case here that the tickets were fake. It is not the case of the prosecution that the tickets were not transferable."

6. *Relying on Mandeep Singh's case, the submission of learned counsel for the petitioner is that there being no restriction on reselling match tickets there cannot be any offence which could be said to be made out under Section 318 of the BNS, 2023. Section 318 of the BNS, 2023 is reproduced herein for easy reference*

"318. Cheating-(1) whoever, by deceiving any person, fraudulently or dishonestly induces the person so deceived to deliver any property to any person, or to consent that any person shall retain any property, or intentionally induces the person so deceived to do or omit to do



anything which he would not do or omit if he were not so deceived, and which act or omission causes or is likely to cause damage or harm to that person in body, mind, reputation or property, is said to cheat."

7. *This aspect has been considered by the Punjab and Harayana High Court with reference to Section 420 of the IPC in Mandeep Singh's case and the Punjab and Haryana High Court has come to a conclusion that proceedings cannot be allowed to go on as it would be an abuse of process of law.*
8. *The very same reasoning of the Punjab and Haryana High Court would be equally applicable to the present case since there is no restriction on the sale of the such tickets.*
9. *Accordingly, I pass the following:*

ORDER

- i. *Criminal petition is allowed.*
- ii. *The FIR in Crime No.215/2025 registered for offence under Section 318(4) of the BNS, 2023 on the file of the 41st Additional CMM Court, Nrupatunga Road, Bengaluru is hereby quashed."*

4. In the light of the order passed by this Court (*supra*) and for the reasons aforementioned, the following:



ORDER

- (i) The Criminal Petition is ***allowed***; and
- (ii) The proceedings in C.C.No.43921/2025 pending before the XLI ACJM, Bengaluru, stand *quashed*, *qua* the petitioner.

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

AV
List No.: 2 SI No.: 60