



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. 2452 OF 2026

BETWEEN:

1. J S PRASANNA KUMAR
SON OF SAHACHANDRA GUPTHA,
AGED ABOUT 60 YEARS,
RESIDING AT NO.G-2,
MEENAKSHI MANOR,
10TH D MAIN,
NEAR ASHOKA PILLAR,
JAYANAGAR 1ST BLOCK,
BANGALORE SOUTH,
BANGALORE,
KARNATAKA - 560 011

2. VINUTHA J P
WIFE OF PRASANNA KUMAR,
AGED ABOUT 60 YEARS,
RESIDING AT NO.G-2,
MEENAKSHI MANOR,
10TH D MAIN,
NEAR ASHOKA PILLAR,
JAYANAGAR 1ST BLOCK,
BANGALORE SOUTH,
BANGALORE,
KARNATAKA - 560 011.

...PETITIONERS

(BY SRI. AKKI MANJUNATH GOWDA K., ADVOCATE)

Digitally signed by
SANJEEVINI J
KARISHETTY

Location: High Court of
Karnataka



AND:

1. STATE OF KARNATAKA
BY HEBBAGODI POLICE STATION
REPRESENTED BY
STATE PUBLIC PROSECUTOR
BANGALORE - 560 001
2. MR. MUNIRAJU A,
SON OF MR. LATE SUBBAYYA,
AGED ABOUT 48 YEARS,
RESIDING AT NO-21,
BHAVANI ROAD,
HEBBAGODI,
BENGALURU DISRICT - 560 099,
KARNATAKA

...RESPONDENTS

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

THIS CRL.P IS FILED U/S.482(FILED U/S.528 BNSS)
CR.P.C BY THE ADVOCATE FOR THE PETITIONER PRAYING
THAT THIS HONOURABLE COURT MAY BE PLEASED TO QUASH
FURTHER INVESTIGATION IN FIR IN CRIME NO.569/2025 IN
PCR NO.627/2024 FOR OFFENCE P/US/ 318(3), 318(4), 336(2),
338, 322, 319(2), 340(2) R/W SEC.3(5) OF BNS ACT ON THE
FILE OF THE 2ND ADDL.CIVIL JUDGE AND JMFC, ANEKAL
BENGALURU RURAL AGAINST THE PETITIONERS.

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 calling in question the reference of a private complaint for investigation, which is now registered as Crime No.569/2025 for the offences punishable under Sections 318(3), 318(4), 336(2), 338, 322, 319(2), 340(2) read with Section 3(5) of the BNS, 2023.

2. Heard Sri. Akki Manjunath Gowda K., 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. Petitioners are accused Nos.1 and 2 in Crime No.569 of 2025. Crime No.569 of 2025 emerges on account of a private complaint in PCR No.627 of 2024, which is ostensibly registered after 01.7.2024 the onset of BNSS. Procedure under Section 175(3) of the BNSS is admittedly not followed in the case at hand while making the reference. The order referring the matter for investigation reads follows:



"The complainant has filed this private complaint U/sec.223 of BNSS against the accused for the offences alleged to be committed U/sec.318(3), 318(4), 319(2), 322, 336(2), 338, 340(2) R/w 3(5) of BNS Act.

Learned counsel for complainant has filed application U/sec.175(3) of BNSS-2023, along with affidavit.

Perused the complaint and application filed U/sec.175(3) of BNSS and also documents produced by the complainant. After considering materials, this court is of the opinion that the matter has to be refer to SHO of Hebbagodi PS for investigation U/sec.175(3) of BNSS. Accordingly, this court proceed to pass the following:

ORDER

Further, the matter is referred for investigation to the SHO of Hebbagodi PS for investigation U/sec.175(3) of BNSS., to investigate and submit the report in accordance with law.

Call on:28-2-2025"

4. There is no report called for from the jurisdictional police as is required under Section 175(4) of the BNSS, without which the proceeding would suffer from procedural aberration.

5. In that light, I deem it appropriate to quash the order of reference and dispose the subject petition by remitting the matter back to the hands of the concerned Court to pass necessary orders in accordance with law bearing in mind the observations in the course of the order.



6. For the aforesaid reasons, the following:

ORDER

- (i) The petition is allowed.
- (ii) The proceedings in Crime No.569/2025 in PCR No.627/2024 stands quashed qua the petitioner.
- (iii) The matter is remitted back to the hands of the concerned Court to pass necessary orders strictly in consonance with Section 175 of the BNSS.

Ordered accordingly.

SD/-
(M.NAGAPRASANNA)
JUDGE