



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.NAGAPRASANNA

WRIT PETITION NO. 6929 OF 2026 (GM-RES)

C/W

WRIT PETITION NO. 6999 OF 2026 (GM-RES)

IN WP No. 6929/2026

BETWEEN:

CHARAN KAWAL SINGH GUJRAL
S/O. SURJIT SINGH GUJRAL,
AGED ABOUT 47 YEARS,
R/O. PLOT NO. 41, SECTOR 5,
BEHIND PARSIK BANK,
KOPARKHAIRNE, NAVI MUMBAI – 400 709.

...PETITIONER

(BY SRI LODHA SHREY SURENDRA, ADVOCATE FOR
SRI SHESHA KARTHIK M. REDDY, ADVOCATE)

AND:

STATE OF KARNATAKA
THROUGH THE DETECTIVE POLICE INSPECTOR
AND INVESTIGATION OFFICER,
FIU DIVISION, CID BENGALURU,
PALACE ROAD, BENGALURU – 560 001.

...RESPONDENT

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



NC: 2026:KHC:16958
WP No. 6929 of 2026
C/W WP No. 6999 of 2026

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF CONSTITUTION OF INDIA READ WITH SECTION 528 OF THE BNSS, 2023 PRAYING TO QUASHING AND/OR SETTING ASIDE THE IMPUGNED NOTICE DATED 13.02.2026 BEARING NO. CRIME/01/FIU/CID/2026 ISSUED U/S. 35(3) OF THE BNSS TO THE PETITIONER IN RELATION TO FIR IN CRIME NO. 633/2025, DATED 18.12.2025 REGISTERED BY THE RESPONDENT FOR THE OFFENCES PUNISHABLE U/S 318(2), 318(4), 336(2), 336(3), 338, 339, 340(2) AND 61(2) OF BNS, 2023 (PRODUCED VIDE ANNEXURE - A); B. AWARD COSTS FOR THE INSTANT PETITION.

IN WP NO. 6999/2026

BETWEEN:

1. ANMOL SINGH SETHI
S/O. GURDEEP SINGH SETHI,
AGED ABOUT 29 YEARS,
R/O. HOUSE NO. 1711, FIRST FLOOR,
OUTRAM LINE, GTB NAGAR,
DELHI – 110 009.

...PETITIONER

(BY SRI LODHA SHREY SURENDRA, ADVOCATE FOR
SRI SHESHA KARTHIK M. REDDY, ADVOCATE)

AND:

1. STATE OF KARNATAKA
THROUGH THE DETECTIVE POLICE INSPECTOR
AND INVESTIGATION OFFICER,
FIU DIVISION, CID BENGALURU,



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PALACE ROAD,
BENGALURU – 560 001.

...RESPONDENT

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

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF CONSTITUTION OF INDIA READ WITH SECTION 528 OF THE BNSS, 2023 PRAYING TO A. ISSUE AN APPROPRIATE WRIT, ORDER OR DIRECTION FOR QUASHING AND/OR SETTING ASIDE THE IMPUGNED NOTICE DATED 13.02.2026 BEARING NO. CRIME/01/FIU/CID/2026 ISSUED U/S. 35(3) OF THE BNSS TO THE PETITIONER IN RELATION TO FIR IN CRIME NO. 633/2025, DATED 18.12.2025 REGISTERED BY THE RESPONDENT FOR THE OFFENCES PUNISHABLE U/S 318(2), 318(4), 336(2), 336(3), 338, 339, 340(2) AND 61(2) OF BNS, 2023 (PRODUCED VIDE ANNEXURE - A); B. AWARD COSTS FOR THE INSTANT PETITION.

THESE PETITIONS, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:



CORAM: HON'BLE MR. JUSTICE M.NAGAPRASANNA

ORAL ORDER

The petitioners in these petitions are before this Court calling in question a notice dated 13-02-2026 issued under Section 35(3) of the BNSS. Since these petitions arise out of a common crime number, they are taken up together for disposal.

2. Heard Sri Lodha Shrey Surendra, learned counsel appearing for petitioner in both the petitions and Sri B.N.Jagadeesha, learned Additional State Public Prosecutor appearing for respondent.

3. The learned counsel for the petitioners submits that a notice under Section 35(3) of the BNSS can be issued only to an accused who has allegedly committed a cognizable offence. It is his claim that the FIR does not name the petitioners as accused. Therefore, the notice issued under Section 35(3) of the BNSS is without jurisdiction.



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4. The learned Additional State Public Prosecutor submits that the petitioners have been drawn as accused subsequently. The notice though appends the FIR in Crime No.633 of 2025, it names 5 people but not the petitioners. Therefore, the learned Additional State Public Prosecutor submits that the notice has spent itself.

5. In that light, the petitions stand disposed, reserving liberty to the petitioners to knock at the doors of this Court, in the event of need in future, as also reserving liberty to the State to take action in accordance with law, if necessary.

Sd/-
(M.NAGAPRASANNA)
JUDGE

BKP
List No.: 2 Sl No.: 27