



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

WRIT PETITION NO. 8854 OF 2026 (GM-POLICE)

BETWEEN:

1. REKHA
D/O LATE NANJUNDAIAH
AGED ABOUT 75 YEARS
2. MANGALA
D/O NANJAMMA
AGED ABOUT 60 YEARS

BOTH RESIDING AT
OLD NO.344, NEW NO.13,
17TH MAIN ROAD, 2ND CROSS,
MUNESHWARA BLOCK, BENGALURU - 560 026.
MOB: 78925 79600

...PETITIONERS

(BY SRI. PRASANNA SIMHA H.K, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY
TO HOME DEPARTMENT,
VIDHANA SOUDHA, BANGALORE.
2. THE COMMISSIONER OF POLICE





INFANTRY ROAD, BENGALURU - 560 001.

3. THE ASSISTANT COMMISSIONER OF POLICE,
SOUTH END CIRCLE, JAYANAGAR 3RD BLOCK,
BANGALORE - 560 011.
4. THE INSPECTOR OF POLICE,
GIRINAGAR POLICE STATION,
BENGALURU - 560 085.
5. SHIVAKUMAR
S/O NAGARAJA, AGED MAJOR
NO.2947, 3RD CROSS, 8TH MAIN ROAD,
KUMARASWAMY LAYOUT
2ND STAGE, (JP NAGAR POST),
BENGALURU - 560 078.
6. VIJAYA LAKSHMI V
D/O VENKATESH M
AGED ABOUT 47 YEARS
NO.38/6, 1ST CROSS, R K MUTT,
K G NAGAR, GAVIPURAM EXTENSION,
BENGALURU - 560 019.

...RESPONDENTS

(BY SRI. K.P.YOGANNA, AGA FOR R1 TO R4)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO A) ISSUE A WRIT IN THE NATURE OF MANDAMUS DIRECTING THE RESPONDENTS TO CONSIDER THE COMPLAINT DATED- 13-01-2026 LODGED FOR THE OFFENCES PUNISHABLE U/S 126(2), 329, 332, 303(2), 74 AND 79 READ WITH SECTION 61 AND 3(5) OF BHARATIYA NYAYA SANHITA 2023 BEFORE THE



RESPONDENT NO.4 (GIRINAGAR POLICE STATION), WHICH IS AT ANNEXURE C AND D TO THE WRIT PETITION BY REGISTERING FIRST INFORMATION REPORT AGAINST THE RESPONDENT NO.5 AND 6 AND ETC.,

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:
CORAM: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

ORAL ORDER

The captioned petition is filed aggrieved by the NCR endorsement issued by the authorities while acting on the written complaint lodged by the petitioner vide Annexures- C and D and therefore, the jurisdictional police officer has relegated the petitioner to approach Civil Court, as the dispute is essentially civil in nature.

2. The petitioners' counsel, reiterating the grounds urged in the captioned petition, has vehemently argued and contended that the fifth respondent, who is his nephew, has high-handedly trespassed into the house and has illegally taken crucial documents, including a Will alleged to have been executed by Sarojamma in favour of



the first and second petitioners. Therefore, he would point out that the jurisdictional station officer was bound to act on the written complaints and register an FIR alleging inaction and also primarily agreed by the endorsement. In the caption petition, the petitioner is seeking directions in the nature of mandamus to direct the jurisdictional station officer to register an FIR acting on the written complaints.

3. Per contra, learned AGA submits that the dispute is essentially civil in nature and therefore, the jurisdictional station officer was justified in not entertaining the written complaints.

4. Having heard the counsels on record, this Court has meticulously examined the records.

5. Upon a careful and deeper scrutiny of the material placed on record, this Court finds that the substratum of the dispute arises out of competing claims of title founded on an alleged Will said to have been executed by the original owner, late Sarojamma. The petitioners seek to



assert rights on the strength of the said testamentary disposition, yet admittedly have not approached the competent Civil Court for declaration of title or for enforcement of rights flowing therefrom. The inter se relationship of the parties, inasmuch as the fifth respondent is the nephew of both the first petitioner and the deceased Sarojamma, further evinces the private and civil character of the dispute.

6. In the considered view of this Court, the allegations set out in the complaint, even if taken at face value, do not disclose the commission of any cognizable offence so as to warrant criminal action. The grievance essentially pertains to adjudication of disputed title, validity of the Will, and consequential civil rights, all of which lie squarely within the domain of the Civil Court. The attempt to give a criminal colour to what is fundamentally a civil dispute cannot be countenanced.



7. The NCR endorsement issued by the jurisdictional Station House Officer reflects a proper appreciation of the nature of the dispute, as discernible from the complaints on record, and does not suffer from any legal infirmity. In that view of the matter, this Court finds no ground to interfere, and the petition, being devoid of merit, is liable to be dismissed.

Accordingly, the writ petition stands ***dismissed***. However, liberty is reserved to the petitioners to approach the competent civil court and seek reversal of their grievances.

Sd/-
(SACHIN SHANKAR MAGADUM)
JUDGE