



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 14TH DAY OF OCTOBER, 2025

BEFORE

THE HON'BLE MR. JUSTICE MOHAMMAD NAWAZ

CRIMINAL PETITION NO. 6937 OF 2025

BETWEEN:

MR. K YOGENDRA RAJ
S/O SRI. LATE KRISHNASWAMY NAIDU
AGED ABOUT 73 YEARS,
R/AT NO.1/1, BAZAAR STREET
VANNARPET, VIVEKNAGAR POST,
BENGALURU - 560 047
ALSO R/AT NO.19,
VELLIRIAMMA TEMPLE STREET,
VANNERPET VIVEKNAGAR
BANGALORE-560047.

...PETITIONER

(BY SRI. SYED JAFFER MOHIYUDDIN, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
BY VIVEKNAGAR POLICE STATION
REPRESENTED BY STATE PUBLIC PROSECUTOR,
HIGH COURT BUILDING,
BANGALORE - 01.
2. MS. HEMALATHA
AGED ABOUT 34 YEARS,
D/O MR. P. VIJAYKUMAR
R/AT NO.19/1
VELLARIYAMMAN TEMPLE STREET,



VANNARPETE VIVEK NAGAR POST
BENGALURU - 560 047.

...RESPONDENTS

(BY SMT. SOWMYA R, HCGP FOR R1;
SRI. H.A. MANJUNATH PRASANNA, ADVOCATE FOR R2)

THIS CRL.P IS FILED U/S 482 OF CR.PC (FILED U/S 528 BNSS) PRAYING TO QUASH THE FIR AND CHARGE SHEET AND CRIMINAL PROCEEDINGS AGAINST THE PETITIONER IN FIR NO.0079/2020 REGISTERED AS CC.NO.55116/2021 FILED BY VIVEK NAGAR POLICE STATION IN THIS CASE FOR OFFENCES P/U/S 506, 504, 323, 149, 354 OF IPC, 1860, IN C.C.NO.55116/2021 PENDING ON THE FILE OF THE 29TH ACMM COURT AT MAYOHALL, BANGALORE.

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

CORAM: HON'BLE MR. JUSTICE MOHAMMAD NAWAZ

ORAL ORDER

Petitioners are seeking to quash the entire proceedings pending before the trial Court in CC.No.55116/2021 arising out of Crime No.79/2020 of Viveknagar Police Station.

2. Charge sheet is filed for the offence punishable under Section 323, 504, 506, 354 read with 149 of IPC, against accused Nos.1 to 4, wherein, petitioner is arrayed as accused No.1.



3. It is contented by the learned counsel for the petitioner that the dispute is purely civil in nature, which has been given a colour of criminal offence. The petitioner was aged 70 years at the time of incident and therefore, the allegation that he too participated in the commission of offence and assaulted the complainant and others is far from truth.

4. It is also contended that a civil suit is filed by the mother of respondent No.2 for partition, in OS.No.10095/2015 and the said suit is pending before the City Civil Court, Mayohall Unit, Bengaluru and to settle a score against the family of the petitioner, a frivolous complaint has been lodged.

5. Having regard to complaint averments, it cannot be said that there is no prima facie case against the petitioner. On completion of investigation, charge sheet has been filed. If there is no material collected during the course of investigation, it is always open for the petitioner to file an appropriate application before the trial Court seeking discharge. If any such application is filed, the learned trial Judge shall consider and dispose of the same in accordance with law.



NC: 2025:KHC:40641
CRL.P No. 6937 of 2025

With the above observation, petition is ***disposed of***.

I.A.No.1/2025 is ***disposed of***.

Sd/-
(MOHAMMAD NAWAZ)
JUDGE

PK
List No.: 1 Sl No.: 53
CT: BHK