



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD
DATED THIS THE 24TH DAY OF MARCH, 2026
BEFORE
THE HON'BLE MR. JUSTICE HANCHATE SANJEEVKUMAR
CRIMINAL PETITION NO.100564 OF 2025
(482 OF Cr.PC/528 OF BNSS)

BETWEEN:

SAINATH P. PAWAR,
AGE: 42 YEARS, OCC: PRIVATE WORK,
R/O.22, ADYAPAK NAGAR, NEAR VISHWANATH
KALYAN MANTAP, HUBLI, PIN CODE-580032.

...PETITIONER

(BY SRI SACHIN C. ANGADI, ADVOCATE)

AND:

1. STATE OF KARNATAKA,
THROUGH ASHOK NAGAR P.S., HUBBALLI,
REP. BY ITS STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
DHARWAD, PIN CODE-580002.
2. SMT. NIKHITA W/O. SAINATH PAWAR,
AGE: 35 YEARS, OCC: HOME MAKER,
R/AT: HOUSE NO.22, ADYAPAKANAGAR,
BEHIND VISHWANATHA KALYANAMANTAPA,
HUBBALLI, PIN CODE-580032.

...RESPONDENTS

(BY SRI DAYANAND SANGRESHI, HCGP FOR R1;
SRI. GOURISHANKAR MOT, ADV. FOR R2)

THIS CRIMINAL PETITION IS FILED UNDER SECTION 528 OF BNSS, 2023, PRAYING TO QUASH THE COMPLAINT AND FIR IN CRIME NO.02/2025 CRIME REGISTERED BY THE ASHOK NAGAR PS., HUBBALLI FOR OFFENCES PUNISHABLE UNDER SECTIONS 109(1), 115(2), 126(2), 76, 352, OF BHARATIYA NYAYA SANHITA (BNS), 2023, FILE PENDING BEFORE THE JMFC-1 COURT, HUBBALLI, IN THE INTEREST OF JUSTICE AND ETC.

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



CORAM: THE HON'BLE MR. JUSTICE HANCHATE SANJEEVKUMAR

ORAL ORDER

The accused has filed this petition under Section 482 of Cr.P.C. seeking quashing of the proceedings initiated against him with the following prayer:

"a) Wherefore, the petitioner/accused most respectfully prays that this Hon'ble Court be pleased to quash the complaint and FIR in Crime No.2/2025 crime registered by the Ashok Nagar P.S., Hubballi for offences punishable under Sections 109(1), 115(2), 126(2), 76, 352 of Bharatiya Nyaya Sanhita (BNS), 2023 file pending before the JMFC-1 court, Hubballi, in the interest of the justice.

b) Grant such other reliefs as deemed fit in the circumstances of the case and in the interest of justice."

2. The respondent No.2, who is wife of the accused/petitioner, has lodged a complaint before the police by making accusation that the petitioner/accused has assaulted, ill-treated and meted out the complainant with cruelty. Therefore, the police registered the crime for the offences above stated.



3. When in the complaint prima facie case is made out, the offences are foisted so far as committed against the respondent No.2, which are to be tried before the Court, but not certainly the matter for quashing the proceedings without any genuine grounds as enumerated under Section 482 of Cr.P.C.

4. By this petition neither thing to give effect to the Code is found out, neither there is abuse of process of court nor quashment is made to secure the justice. Therefore, none of the ingredients is attracted to invoke Section 482 of Cr.P.C. Therefore, the petition is ***dismissed***.

Sd/-
(HANCHATE SANJEEVKUMAR)
JUDGE