



**IN THE HIGH COURT OF KARNATAKA, AT DHARWAD**  
**DATED THIS THE 24<sup>TH</sup> DAY OF MARCH, 2026**  
**BEFORE**  
**THE HON'BLE MR. JUSTICE HANCHATE SANJEEVKUMAR**  
**CRIMINAL PETITION NO.100433 OF 2026**  
**(482 OF Cr.PC/528 OF BNSS)**

**BETWEEN:**

HANUMANTH BASAVANTAPPA HARIJAN,  
AGED: 50 YEARS, DURGANAGAR, HALIYAL,  
UTTARA KANNADA DISTRICT, PIN-581329.

...PETITIONER

(BY SRI SHEKHARAPPA PUNDALEEKAPPA KANDAGAL, ADV.)

**AND:**

1. STATE OF KARNATAKA,  
THROUGH HALIYAL P.S. HALIYAL,  
UTTARA KANNADA DISTRICT,  
REPRESENTED BY STATE PUBLIC PROSECUTOR,  
HIGH COURT OF KARNATAKA, DHARWAD BENCH.
2. RAVI YALLAPPA PATTIHAL,  
FDA, HALIYAL MUNICIPALITY, AGED 44 YEARS,  
R/O. HOSURAGALLI, HALIYAL,  
UTTARA KANNADA DISTRICT, PIN-581329.

...RESPONDENTS

(BY SRI ABHISHEK MALIPATIL, HCGP)

THIS CRIMINAL PETITION IS FILED UNDER SECTION 528 OF BHARATIYA NAGARIK SURAKSHA SANHITA, 2023, PRAYING TO PASS AN ORDER SETTING ASIDE THE ORDER DATED 18.09.2025 PASSED BY THE COURT OF CIVIL JUDGE AND JMFC, HALIYAL IN C.C.NO.1086/2025 (HALIYAL P.S.CR.NO.84/2025) REGISTERED FOR THE OFFENCES UNDER SECTION 132 AND 351(2) OF THE BNS, 2023 AND CONSEQUENTLY QUASH THE CRIMINAL PROCEEDINGS INITIATED AGAINST THE PETITIONERS IN C.C.NO.1086/2025 FOR THE OFFENCE UNDER SECTIONS 132 AND 351(2) ON THE FILE OF THE CIVIL JUDGE AND JMFC, HALIYAL, IN THE INTEREST OF JUSTICE AND EQUITY.

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



CORAM: THE HON'BLE MR. JUSTICE HANCHATE SANJEEVKUMAR

**ORAL ORDER**

Though this matter is listed for admission with the consent of the learned counsel for the petitioner and learned HCGP for the State it is taken up for final disposal.

2. This petition is filed by the petitioner/accused No.1 under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, (Section 482 of Cr.P.C) seeking to quash the entire proceedings with praying for the following relief:

*"WHEREFORE, it is prayed that this Hon'ble Court be pleased to*

- i) pass an order setting aside the order dated 18.09.2025 passed by the Court of Civil Judge and JMFC, Haliyal in C C No.1086/2025 (Haliyal P.S.Cr.No.84/2025 registered for the offences under Sec.132 and 351(2) of the BNS, 2023, and*
- ii) consequently quash the criminal proceedings initiated against the petitioners in C C No.1086/2025 for the offences u/s 132 and*



*351(2) on the file of the Civil Judge and JMFC,  
Haliyal, in the interest of justice and equity.”.*

3. It is the case of the prosecution that the complainant is working as a First Division Assistant in the Town Municipal Council at Haliyal. On 16.04.2025, at about 3:45 p.m., while he was discharging his duties, the accused was speaking to the staff members of the municipality in a raised voice in the municipal office. When the complainant questioned the accused as to why he is obstructing them from discharging their duties, the accused allegedly asked them to clean the gutters in the town and thereby prevented the complainant from discharging his official duties. With these allegations, the complaint came to be lodged. Upon investigation, the police have filed a charge sheet for the aforesaid offences.

4. Learned counsel for the petitioner submitted that, on a bare reading of the complaint, no offence is made out. Therefore, he prayed to quash the proceedings.



5. Learned HCGP for the State opposed the petition and prayed for its dismissal.

6. Upon perusal of the complaint, FIR, and charge sheet material annexed to the petition, a prima facie case is made out that the accused had prevented the staff of the Town Municipal Council from discharging their duties. Further, the allegations in the complaint and FIR indicate that the accused criminally intimidated the staff and the complainant. During the course of investigation, the Investigating Officer has recorded the statements of witnesses, who have stated that the petitioner criminally intimidated the staff and the complainant.

7. In view of the prima facie material available at this stage, no sufficient grounds are made out to quash the proceedings. Further, no grounds are urged in the petition to show that the continuation of proceedings would amount to an abuse of the process of the Court. The complaint cannot be said to be vague, and the allegations therein require adjudication during trial. Therefore, there is no



justification to quash the proceedings by invoking Section 528 of BNSS (Section 482 of Cr.P.C.) Accordingly, the petition is liable to be dismissed and is hereby ***dismissed***.

In view of the dismissal of petition, pending I.A.'s, if any, shall also stands dismissed.

**Sd/-  
(HANCHATE SANJEEVKUMAR)  
JUDGE**

ASN /CT-AN  
List No.: 2 SI No.: 93