



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD
DATED THIS THE 25TH DAY OF MARCH, 2026
BEFORE
THE HON'BLE MR. JUSTICE HANCHATE SANJEEVKUMAR
CRIMINAL PETITION NO.102542 OF 2023
(482 OF Cr.PC/528 OF BNSS)

BETWEEN:

1. CHAMANSAB DAVALSAB KANAVI,
S/O. DAVALSAB KANAVI,
AGED ABOUT 48 YEARS,
OCC: AGRICULTURIST,
R/O. TEGGIHALLI VILLAGE,
TQ. SAVANUR,
DIST. HAVERI-581118.
2. SMT. DILSHADBHANU CHAMANSAB KANAVI,
W/O. CHAMANSAB KANAVI,
AGED ABOUT 41 YEARS,
OCC: HOUSEWIFE,
R/O. TEGGIHALLI VILLAGE,
TQ. SAVANUR,
DIST. HAVERI-581118.

...PETITIONERS

(BY SRI SUNILKUMAR BANGARI, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
BY SAVANUR POLICE STATION,



SAVANUR-581118,
REPRESENTED BY SPP
HIGH COURT OF KARNATAKA,
DHARWAD-580008.

2. SMT. BIBIJAN
W/O. MEHABO OBSAB TIMMAPUR,
AGED ABOUT 35 YEARS,
OCC: COOLIE,
R/O. TEGGIHALLI VILLAGE,
TQ. SAVANUR,
DIST. HAVERI-581118.

...RESPONDENTS

(BY SRI ABHISHEK MALIPATIL, HCGP FOR R1;
SRI H. M. DHARIGOND, ADV. FOR R2)

THIS CRIMINAL PETITION IS FILED UNDER SECTION 482 OF THE CODE OF CRIMINAL PROCEDURE, PRAYING TO QUASH THE ENTIRE PROCEEDINGS IN C.C.NO.07/2021 PENDING ON THE FILE OF THE CIVIL JUDGE AND JMFC, AT: SAVANUR AND CHARGE SHEET FILED IN CRIME NO.91/2020 BY THE SAVANUR PS, SAVANUR FOR THE OFFENCE PUNISHABLE UNDER SECTIONS 506, 504, 323, 341, 114, R/W. SECTION 34 OF INDIAN PENAL CODE, IN THE INTEREST OF JUSTICE.

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

CORAM: THE HON'BLE MR. JUSTICE HANCHATE SANJEEVKUMAR



ORAL ORDER

This petition is filed under Section 482 of the Code of Criminal Procedure, 1973¹/Section 528 of the Bharatiya Nagarika Suraksha Sanhita, 2023², by the petitioners/accused Nos.1 and 7 with the following prayer:

*"**WHEREFORE** the petitioners Accused No.1 and 7, most respectfully prays before this Hon'ble Court that kindly be pleased to quash the entire proceedings in C.C.No. 7 of 2021 pending on the file of the Civil Judge and JMFC, At Savanur and charge sheet filed in Crime No.91 of 2020 by the Savanur Police Station, Savanur for the offense punishable under section 506, 504, 323, 341, 114, R/W section 34 of Indian Penal Code in the interest of justice."*

2. The petition is filed for quashing on the ground that there is a delay in lodging the complaint and that there is no wound certificate. These aspects are to be considered during the trial. The petition has failed to demonstrate how it is necessary to give effect to the Code and has also failed to demonstrate what constitutes an abuse of process of Court as well as how the petition aids in securing the ends of justice. Now the trial is

¹ Hereinafter referred to as the 'Cr.P.C.'

² Hereinafter referred to as the 'BNSS, 2023'



commenced. The grounds raised in the petition are to be considered during the trial and since disputed facts cannot be adjudicated in a petition filed under Section 482 of Cr.P.C., the petition is misconceived. Hence, the petition is liable to be dismissed.

3. Accordingly, the petition is ***dismissed***.

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