



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 24TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE V.SRISHANANDA

CRIMINAL PETITION No.104917 OF 2025 (482(CR.PC)/528(BNSS))

BETWEEN:

SRI DASTAGIRSAB ALISAAB MULTANI
S/O ALISAAB MULTANI
AGED ABOUT 50 YEARS,
R/AT: VEERNAGAR NANDIKURALI,
RAIBAG TQ BELAGAVI 591317.

...PETITIONER

(BY SRI. PRAVEEN S., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
R/BY STATE PUBLIC PROSECUTOR,
THROUGH RAIBAG P.S. HIGH COURT OF KARNATAKA
DHARWAD BENCH DHARWAD.

2. SRI NARAYANA ROHIDAS DUMALE
AGED ABOUT 35 YEARS, WORKING AS BUS DRIVER
NWKRTC DEPOT DRIVER NO. 5315,
RAIBAG BELAGAVI 591317.

...RESPONDENTS

(BY SMT. KIRTI LATA R. PATIL, HCGP FOR R1;
SRI. PRASHANT HOSAMANI, ADVOCATE FOR R2)

THIS CRIMINAL PETITION IS FILED U/S 482 OF CR.P.C. (U/S. 528 OF BNSS, 2023) SEEKING TO QUASH THE CHARGE SHEET AND FIR CRIME NO. 229/2018 RAIBAG P.S. AND PROCEEDINGS IN CC NO. 257/2019 FOR OFFENCES P/U/SEC. 143, 147, 138, 109, 149, 353, 427 OF IPC AND 3 OF PREVENTION OF DAMAGE TO PUBLIC PROPERTY ACT 1984 ON THE FILE OF PRINCIPAL CIVIL JUDGE AND JMFC, RAIBAG, IN THE INTEREST OF JUSTICE.

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





ORAL ORDER

(PER: THE HON'BLE MR. JUSTICE V.SRISHANANDA)

Heard.

Sri Praveen S, learned counsel for the petitioner would submit that in respect of one and the same incident, three cases have been registered, one by the driver, other by the conductor and another by the Police Sub Inspector. Therefore, present petition needs to be quashed.

2. *Per contra*, Sri Prashanth Hosamani, learned counsel for respondent No.2 and Smt.Kirtilata R. Patil, learned High Court Government Pleader for respondent No.1 do not dispute that the charge sheet is filed in Crime Nos.230/2018. But, in respect of the same incident two more cases in Crime No.228/2018 and Crime No.229/2018 are also registered and charge sheet is filed.

3. On perusal of the material on record, it is seen that the unfortunate incident has occurred on 30.05.2018. It is found from the records that, Sri Shivanand S. Lamani, Police Sub Inspector, Raibag Police, Belagavi, has also filed a case in Crime No.230/2018, which is now pending on the file of the Prl. Civil Judge and JMFC, Raibag, in C.C.No.768/2019.



4. In respect of the same incident, the conductor of the bus has filed a case in Crime No.228/2018 on the file of the very same police station.

5. Yet another complaint is lodged by the driver of the bus in Crime No.229/2018 pending in C.C.No.257/2019 on the file of the Prl. Civil Judge and JMFC, Raibag.

6. In other words, in respect of one and the same incident, three FIRs came to be registered, and investigated and chargee sheets are also filed in all the three cases, which is impermissible.

7. Since there is already a charge sheet filed in Crime No.230/2018 which is pending in C.C.768/2019 on the file of the Prl. Civil Judge and JMFC, Raibag, present case arising out of Crime No.229/2018 now pending in C.C.No.257/2019 on the file of the very same Court, needs to be quashed, as there cannot be *double jeopardy*.



8. Accordingly, the following:

ORDER

- (i) Petition is ***allowed***.
- (ii) C.C.No.257/2019 pending on the file of the Prl. Civil Judge and JMFC, Raibag, arising out of Crime No.229/2018 registered by the Raibag Police is hereby quashed.
- (iii) However, if any of the witnesses who are already named as charge sheet witness in the present case, if not already shown as charge sheet witness in respect of Crime No.230/2018 which is pending in C.C.No.768/2019, pending on the file of the Prl. Civil Judge and JMFC, Raibag, Investigation Officer is at liberty to file additional/supplementary charge sheet to bring in such evidence in Crime No.230/2018 under Section 173(8) of the Code of Criminal Procedure.

Sd/-
(V.SRISHANANDA)
JUDGE