



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. 104583 OF 2025

(482(CR.PC)/528(BNSS))

BETWEEN:

SHRI ANIL KUMAR JANAR S/O LATE BHARMAPPA,
AGE: 43 YEARS, OCC. BUSINESS,
R/O. KADALABALU VILLAGE,
H.B. HALLI TALUKU,
VIJAYANAGARA DISTRICT-583231.

...PETITIONER

(BY SRI. ROHIT S. PATIL, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
THROUGH HAGARIBOMMANAHALLI PS,
VIJAYANAGARA,
R/BY SPP, HIGH COURT OF KARNATAKA,
DHARWAD BENCH AT DHARWAD-580011.

2. DILIP S/O OMKAR SA BHAVIKATTI,
AGED 54 YEARS, OCC. HOTEL EMPLOYEE,
R/O. NEAR OLD COURT, OLD H.B. HALLI,
H.B HALLI, TQ. AND DIST. VIJAYANAGARA-583212.

...RESPONDENTS

(BY SMT. KIRTELATA R. PATIL, HCGP FOR R1;
NOTICE SERVED TO R2)

THIS CRIMINAL PETITION IS FILED U/SE. 482 OF CR.P.C. (U/S. 528 OF BNSS, 2023) SEEKING TO QUASH THE FIR IN CRIME NO.143/2025 DATED: 26/09/2025 BY HAGARIBOMMANHALLI PS AND ALL FURTHER PROCEEDINGS INITIATED AGAINST THE PETITIONER HEREIN FOR THE OFFENCE PUNISHABLE U/S 316(2), 318(4), 126(2), 352, 351(2) OF BNSS, 2023 PENDING ON THE FILE OF ADDL. CIVIL JUDGE (SR.DN) AND CJM HAGARIBOMMANAHALLI, VIJAYANAGARA





DIST IN RESPECT OF PETITIONER HEREIN-ACCUSED IS CONCERNED,
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)

Parties absent. There is no possibility of amicable
settlement. Matter is taken up on merits for final disposal.

2. Heard Sri Rohit S.Patil, learned counsel for petitioner.

3. Petition is filed under Section 528 BNS with the
following prayer.

*"To quash the FIR in Crime No.143/2025 dated:
26/09/2025 by Hagaribommanhalli PS and all further
proceedings initiated against the petitioner herein for the
offence punishable u/s 316(2), 318(4), 126(2), 352,
351(2) of BNSS, 2023 pending on the file of Addl. Civil
Judge (Sr.Dn) and CJM, Hagaribommanahalli,
Vijayanagara Dist in respect of petitioner herein-accused
is concerned, in the interest of justice."*

4. Facts of the case which are utmost necessary for
disposal of the present petition are as under:

5. Second respondent-Dilip files a complaint before
Hagaribommanahalli Police Station on 26.09.2025, which was



registered in Crime No.143/2025, for the offences punishable under Section 316(2), 318(4), 126(2), 352, 351(2) of BNSS.

6. The gist of the complaint averments would reveal that the complainant has contacted the developers of the land who are developing the land in Hagaribommanahalli town in the name and style of Manjunatha Developers for the purchase of house sites.

7. In that regard, there was a discussion and after due deliberations, on 05.08.2014, site No.30 was short-listed and advance payment of ₹2,99,999/- was agreed to be paid. On 07.08.2014 at about 10:00 a.m., the complainant visited the office of the accused and paid ₹10,000/- as a token advance and he went on paying the instalments towards the purchase of the site and 44th instalment was paid on 01.01.2018 totally amounting to ₹1,32,000/- and as on the date, whatever the remaining instalments were also paid in a sum of ₹48,000/- and in all sum of ₹1,80,000/- was paid by the complainant.

8. Thereafter, there were some differences and accused said to have told the complainant to visit the office with the



receipts having paid the instalments. On 14.03.2020, balance sum of ₹1,10,000/- and additional amount of ₹1,12,000/- was paid by the complainant in all sum of ₹4,11,000/-.

9. Despite the payment of the additional sum of ₹1,12,000/- as demanded by the accused, present petitioner did not register the site in favour of the complainant. On demand, petitioner said to have abused the complainant in filthy language and gave him life threat. Based on the same, police registered the case as aforesaid and are investigating the matter.

10. Sri Rohit S.Patil, learned counsel for petitioner would contend that petitioner is interested in settling the matter amicably by registering the site in favour of the complainant and therefore, the present petition needs to be quashed.

11. *Per contra*, Smt.Kirtilata R.Patil, learned High Court Government Pleader for respondent No.2 would contend that what has been sought for is only quashing the FIR and if the petitioner is really interested in settling the issue with the complainant, he may do so during the course of investigation



and necessary report would be filed and thus, sought for dismissal of the petition.

12. Having heard the arguments of both sides, this Court perused the material on record meticulously.

13. On such perusal of the material on record, it is noted that the payment of the money by the complainant as demanded by the petitioner herein is *prima facie* established with details of the payment and the date on which the amounts were paid.

14. When there was no registration of the site, petitioner has approached the jurisdictional police as there was a life threat and clear denial to register the site in favour of the complainant.

15. Therefore, it may not be a pure civil liability. If the petitioner is interested in settling the dispute amicably with the complainant, he may do so and necessary statement would be recorded by the Investigation Officer and appropriate report would be filed.

16. Taking note of these aspects of the matter, this Court does not find any grounds whatsoever much less good grounds to quash the pending FIR.



17. Accordingly, following:

ORDER

- i. Petition is dismissed.
- ii. However, petitioner is at liberty to workout the amicable settlement with the complainant and seek necessary orders in accordance with law.

**Sd/-
(V.SRISHANANDA)
JUDGE**

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CT-CMU
LIST NO.: 1 SL NO.: 44