



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 25TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE RAJESH RAI K

CRIMINAL PETITION NO. 200047 OF 2026
(482(Cr.PC)/528(BNSS))

BETWEEN:

SURESH S/O BASAPPA ASANGI
AGE: 43 YEARS, OCC: AGRICULTURE
R/O MANAGULI, TQ: B.BAGEWADI
DIST: VIJAYAPURA

...PETITIONER

(BY SRI RAJESH DODDAMANI, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
THROUGH VIJAYAPURA CEN POLICE STATION
VIJAYAPURA
NOW REPRESENTED BY ADDITIONAL SPP
HIGH COURT OF KARNATAKA
KALABURAGI BENCH-585103

2. SIDDAPPA BALAGOND
S/O DUNDAPPA
AGE: 60 YEARS, OCC: FARMER
R/O KOLHAR, TQ: KOLHAR
DIST: VIJAYAPURA-586210

...RESPONDENTS

(BY SRI JAMADAR SHAHABUDDIN, HCGP FOR R1;
SRI R.S. LAGALI, ADVOCATE FOR R2)





THIS CRIMINAL PETITION IS FILED U/S.482 OF CR.P.C. (OLD), U/SEC. 528 OF BNSS (NEW), PRAYING TO ALLOW THIS PETITION AND QUASH THE FIRST INFORMATION REPORT IN CRIME NO.59/2025 OF VIJAYAPURA CEN POLICE STATION FOR THE OFFENCES PUNISHABLE U/SEC.406, 409, 420 OF INDIAN PENAL CODE AND U/S 66(D) OF INFORMATION TECHNOLOGY ACT, NOW PENDING ON THE FILE OF III ADDITIONAL CIVIL JUDGE AND JMFC VIJAYAPURA IN CRIME NO.59/2025 IN SO FAR AS ACCUSED NO.4 (AS PER FIR) IS CONCERNED.

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

CORAM: HON'BLE MR. JUSTICE RAJESH RAI K

ORAL ORDER

This Criminal Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 to quash the FIR against the petitioner/accused No.4 in Crime No.59/2025, registered by Vijayapura CEN Police Station for the offences punishable under Sections 406, 409, 420 of Indian Penal Code, 1860 and Section 66(D) of Information Technology Act, presently pending on the file of the III Additional Civil Judge and JMFC, Vijayapura.

2. Learned counsel for the petitioner contended that the allegation against him in the complaint that he



introduced respondent No.2 to accused Nos.1 and 2 in the year 2017. Thereafter, respondent No.2 and the petitioner floated a company in the name and style of "Mahatma Eco Power LLP". Subsequently, an agreement was executed between accused Nos.1 to 3 and 4 as partners of the said Mahatma Eco Power LLP company. Later, the agreement was not acted upon by accused Nos.1 and 2. As such, accused No.4/petitioner also initiated a proceeding under Section 138 of NI Act against accused Nos.1 and 2. Hence, absolutely he had no intention or motive to defraud or cheat respondent No.2 as alleged in the complaint. There is no such culpable intention on the part of the petitioner. Hence, he prayed to allow the petition.

3. *Per contra*, learned counsel for respondent No.2 and learned High Court Government Pleader jointly submit that since the case is at initial stage and investigation is still under progress, the petitioner is at liberty to approach the Investigating Officer with proper explanation and documents, if any.



4. This submission of the learned counsel for respondent No.2 and HCGP holds water. Accordingly, the petition is ***dismissed*** by reserving liberty to the petitioner to approach the Investigating Officer by explaining his defence along with the documents, if any. Upon such explanation and production of documents, the Investigating Officer shall consider the same in accordance with law before filing charge sheet.

Sd/-
(RAJESH RAI K)
JUDGE

SWK
List No.: 1 Sl No.: 0
CT-BH