



**IN THE HIGH COURT OF KARNATAKA
KALABURAGI BENCH**

DATED THIS THE 14TH DAY OF OCTOBER, 2025

BEFORE

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

CRIMINAL PETITION NO.200086 OF 2025
(482(Cr.PC)/528(BNSS))

BETWEEN:

1. DK SIDRAM S/O. DHULAPPA KHATGAVE,
AGE: 50 YEARS, OCC: SOCIAL WORKER,
R/O. BHALKI, TQ. BHALKI, DIST. BIDAR-585401
2. KAILASH PATIL
AGE: 38 YEARS, OCC: AGRICULTURE,
R/O. NAGARAL, TQ. BHALKI, DIST. BIDAR.

...PETITIONERS

(BY SRI. ASHOK MULAGE, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
THROUGH BHALKI TOWN POLICE STATION,
DIST. BIDAR-585401.
REPRESENTED BY ADDL. S.P.P.
HIGH COURT OF KARNATAKA, KALABURAGI BENCH.
2. REKHA W/O. VILAS PATIL,
AGE: 43 YEARS, OCC: HOUSEHOLD,
R/O. DADAGI VILLAGE, TQ. BHALKI,
DIST. BIDAR-585401.

...RESPONDENTS

(BY SMT. ANITHA M. REDDY., HCGP FOR R1; R2-SERVED)

THIS CRIMINAL PETITION IS FILED UNDER SECTION 482 OF CR.P.C. (OLD), UNDER SECTION 528 OF BNSS (NEW), PRAYING TO ALLOW THE PETITION AND QUASH FIR, COMPLAINT AND ENTIRE CHARGE SHEET IN CRIME NO.48/2023 OF BHALKI TOWN POLICE STATION IN C.C.NO.6126/2023 FOR THE OFFENCES PUNISHABLE UNDER SECTIONS 506, 341, 504, 323, READ WITH SECTION 149 OF IPC PENDING ON THE FILE OF CIVIL JUDGE AND JMFC BHALKI, DISTRICT BIDAR AGAINST THE PETITIONERS.

Digitally signed
by RENUKA
Location: HIGH
COURT OF
KARNATAKA



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

CORAM: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

ORAL ORDER

(PER: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM)

This petition is filed seeking quashing of the proceedings pending in C.C.No.6126/2023 (arising out of Crime No.48/2023 registered by Bhaki Town Police Station) on the file of Civil Judge and JMFC, Bhalki, Bidar District, for the offences punishable under Sections 506, 341, 504, 323 read with Section 149 of IPC.

2. The substance of the prosecution case is that on 27.03.2023 at about 10:00 a.m., while the complainant was proceeding in a car, the petitioners along with 15 to 20 other persons allegedly obstructed the vehicle. It is further alleged that petitioner No.1 (accused No.1) snatched the car key, assaulted the driver, tore his shirt, and abused him in filthy language. Based on these allegations, a complaint came to be lodged against the petitioners for offences of wrongful



restraint and criminal intimidation punishable under Sections 504 and 506 of the Indian Penal Code. Pursuant to the said complaint, a case was registered and after completion of investigation, the Investigating Officer has filed a charge-sheet.

3. Learned counsel appearing for the petitioners, referring to the records, contends that the present complaint is a counterblast to the proceedings initiated at the instance of the petitioners. It is submitted that the Assistant Returning Officer had lodged a complaint in Crime No.46/2023 for the offence punishable under Section 171E of IPC, based on a report submitted by the petitioners alleging that the second respondent was illegally distributing sarees during the election campaign. The said complaint led to registration of a case wherein the driver of the vehicle used for such distribution is already facing prosecution. The present complaint, it is urged, is nothing but a retaliatory action to the said proceedings.



4. On the other hand, learned High Court Government Pleader appearing for the respondent-State submits that there are sufficient materials on record to proceed against the petitioners and, therefore, exercise of inherent powers under Section 482 of the Code of Criminal Procedure at this stage is not warranted.

5. Having heard the learned counsel for the parties and on perusal of the records, this Court finds it appropriate to reproduce the relevant portion of the complaint as reflected in the FIR, which reads as under:

“ಇಂದು ದಿನಾಂಕ: 27/03/2023 ರಂದು 16:30 ಗಂಟೆಗೆ
ಫಿಯರ್‌ರಾದಿ ಶ್ರೀ ಶ್ರೀಮತಿ ರೇಖಾ ಗಂಡ ವಿಲಾಸ್ ಪಾಟೀಲ ವಯಸ್ಸು:
43 ವರ್ಷ ಜಾ:ಲಿಂಗಾಯತ ಉ: ಮನೆ ಕೆಲಸ ಸಾ: ದಾಡಗಿ ತಾ: ಭಾಲ್ಕಿ
ರವರು ರಾಣೆಗೆ ಹಾಜರಾಗಿ ರಾಣೆಗೆ ಹಾಜರಾಗಿ ಲಿಖಿತ ದೂರು ನೀಡಿದ್ದು
ಅದರ ಸಾರಾಂಶವೇನೆಂದರೆ ಇಂದು ದಿನಾಂಕ: 27/03/2023 ರಂದು
ಬೆಳಿಗ್ಗೆ 10:00 ಗಂಟೆಗೆ ಭಾಲ್ಕಿ ಪಟ್ಟಣದ ಸತ್ಯ ಸಾಯಿ ಸ್ಕೂಲ್
ರಸ್ತೆಯಲ್ಲಿ, ನಾವು ಕಾರಿನಲ್ಲಿ ಹೋಗುತ್ತಿರುವಾಗ ಡಿ.ಕೆ ಸಿದ್ರಾಮ ಮತ್ತು
ಕೈಲಾಸ ಪಾಟೀಲ; ನಾಗರಾಳ ಹಾಗೂ 15-20 ಜನ ಅವರ ಸಂಗಡಿಗರು
ಏಕಾ ಏಕಿ ನಮ್ಮ ಕಾರನ್ನು ಅಡ್ಡಗಟ್ಟಿ ನನ್ನನು ಮತ್ತು ನನ್ನ ಜೊತೆಯಲ್ಲಿದ್ದ
ಸಂಗಮೇಶ ಹುಣಜೆ ಅವರ ಪತ್ನಿಯಾದ ಸಂತೋಷಿ ಅವರನ್ನು
ಸುತ್ತುವರೆದು ನಮಗೆ ಅವಾಚ್ಛ ಶಬ್ದಗಳಿಂದ ಬೈಯುತ್ತಾ ನಾವು ಹೋಗಿದ್ದ
ಕಾರನ್ನು ಅಡ್ಡ ಗಟ್ಟಿ ನಿಲ್ಲಿಸಿ ಡಿ.ಕೆ ಸಿದ್ರಾಮ ಇವರು ಕಾರಿನ ಒಳಗೆ ಕೈ ಹಾಕಿ



ಕಾರಿನ ಕೀಲಿಯನ್ನು ಕಸಿದುಕೊಂಡು ಡೈವರ್ ರಾಜಕುಮಾರನ್ನು ಹೊಡೆದು
ಅವರ ಅಂಗಿಯನ್ನು ಹರಿದು ಹಲೆ ಮಾಡಿ ಅವಾಚ್ಯ ಶಬ್ದಗಳಿಂದ ನಂದಿಸಿ
ನಿಮ್ಮನ್ನು ಇವತ್ತು ಮುಗಿಸಿ ಬಿಡುತ್ತೇವೆ ಎಂದು ಜೀವದ ಬೆದರಿಕೆ ಹಾಕಿ ಹಲ್ಲೆ
ಮಾಡಲು ಪ್ರಯತ್ನಿಸುತ್ತಿರುವಾಗ ಅಲ್ಲಿನ ಸ್ಥಳೀಯ ಜನರು ಅವರನ್ನು
ತಡೆದಿರುತ್ತಾರೆ. ಆದರೂ ಕೂಡ ಡಿ.ಕೆ ಸಿದ್ರಾಮ ಪಾಟೀಲ ನಾಗರಾಳ
ಹಾಗು 15-20 ಜನ ಅವರ ಸಂಗಡಿಗರು ನಮ್ಮ ಕಾರನ್ನು ಗಾಂಧಿ
ವೃತ್ತದವರಿಗೂ ನಮ್ಮ ಮೇಲೆ ಹಲೆ ಮಾಡುವ ಉದ್ದೇಶದಿಂದ ನಮ್ಮ ಹಿಂದೆ
ಬಂದಿರುತ್ತಾರೆ. ನಾವು ಅವರಿಂದ ತಪ್ಪಿಸಿಕೊಂಡು ರಕ್ಷಣೆಗಾಗಿ ಖಂಡ್ರೆ ಗಲ್ಲಿಗೆ
ಹೋಗಿದೆವೆ. ಈ ಎಲ್ಲ ಸಂಗತಿಯನ್ನು ಡಿ.ಕೆ ಸಿದ್ರಾಮ ರವರ ಡೈವರ್
ಶಂಕರ ಮತ್ತು ಪಿ.ಎ ಲಕ್ಷ್ಮಣ ಅವರು ತಮ್ಮ ಮೊಬೈಲಿನಲ್ಲಿ ವಿಡಿಯೋ
ರಿಕಾರ್ಡ್‌ಲಾಗಿ ಮಾಡಿರುತ್ತಾರೆ, ಅದನ್ನು ದಯವಿಟ್ಟಿ ಮುಟ್ಟುಗೋಲು
[ಜಪ್ತಿ ಮಾಡಿಕೊಂಡು] ಹಾಕಿಕೊಂಡು ತನಿಖೆ ಕೈಕೊಳ್ಳಬೇಕೆಂದು ವಿನಂತಿ
ಇರುತ್ತದೆ. ಈ ಹಿನ್ನೆಲೆಯಲ್ಲಿ ಡಿ.ಕೆ ಸಿದ್ರಾಮ್ ಮತ್ತು ಕೈಲಾಸ ಪಾಟೀಲ
ನಾಗರಾಳ ಹಾಗು ಅವರ ಜೊತೆಯಿರುವ 15-20 ಜನರ ಮೇಲೆ
ಕಾನೂನಿನ ಪ್ರಕಾರ ಕ್ರಮ ಕೈಕೊಳ್ಳಲು ನೀಡಿದ ಫೈನಲ್‌ರಾದಿ ದೂರಿನ
ಸಾರಾಂಶದ ಮೇರೆಗೆ ಭಾಲ್ಕಿ ನಗರ ಪೊಲೀಸರಾಣಿ ಅಪರಾಧ ಸಂಖ್ಯೆ:
48/2023 ಕಲಂ : 341 504 506 ಜೊತೆ 149 ಐಪಿಸಿ ಪ್ರಕಾರ
ಪ್ರಕರಣದ ದಾಖಲು ಮಾಡಿಕೊಂಡು ತನಿಖೆ ಕೈಕೊಂಡಿರುತ್ತೆನೆ. ಇದಕ್ಕೆ
ಫೈನಲ್‌ರಾದಿ ದೂರು ಲಗತ್ತ ಇರುತ್ತದೆ."

6. Though the second respondent-complainant is not shown as an accused in Crime No.46/2023, the driver of the vehicle allegedly used by the second respondent for distributing sarees during the election campaign has been arrayed as an accused in the said case. On perusal of the



materials produced in connection with Crime No.46/2023, it is apparent that the incident referred to therein also occurred on 27.03.2023 at around 10:00 a.m., as reflected in the FIR and the further statement of the complainant, who is the Assistant Returning Officer. It is further evident from the charge-sheet that the driver of the said vehicle has been prosecuted for the offence punishable under Section 171E of the Indian Penal Code.

7. This Court further considers it appropriate to extract the gist of the prosecution case in C.C.No.4/2024 (arising out of Crime No.46/2023), which reads as follows:

“ದಿನಾಂಕ 27/07/2023 ರಂದು ಮುಂಜಾನೆ 10 ಗಂಟೆಯ ಸುಮಾರಿಗೆ ಭಾಲ್ಕಿಯ ಸತ್ಯ ಸಾಯಿ ಶಾಲೆಗೆ ಹೋಗುವ ರಸ್ತೆಯ ಮೇಲೆ ಸಂಗಮೇಶ್ವರ ಬಡಾವಣೆ ಹತ್ತಿರ ಈ ದೋಷಾರೋಪಣೆ ಪತ್ರದ ಕಾಲಂ ನಂ.12 ರಲ್ಲಿ ನಮೂದಿಸಿದ ಆರೋಪಿತನು ಇನ್ನೋವಾ ಕ್ರಿಸ್ತಾ ಕಾರ ನಂ.ಕೆಎ-39/ಎಂ-2486 ನೇದರಲ್ಲಿ ಅನಾಧಿಭೂತವಾಗಿ ಈಶ್ವರ ಖಂಡ್ರೆ ಶಾಸಕರು ಇವರ ಭಾವ ಚಿತ್ರ ಇರುವ ಪ್ಲಾಸ್ಟಿಕ್ ಕವರಗಳಲ್ಲಿ, ಸೀರೆಗಳನ್ನು ಹಂಚುತ್ತಿರುವ ಬಗ್ಗೆ ಈ ದೋಷಾರೋಪಣೆ ಪತ್ರ ಕಾಲಂ ನಂ.14 ರಲ್ಲಿ ನಮೂದಿಸಿದ ಸಾಕ್ಷಿ ನಂ.1 ಇವರಿಗೆ ಖಚಿತ ಮಾಹಿತಿ ಬಂದ ಮೇರೆಗೆ ಸಾಕ್ಷಿ ನಂ.1 ಇವರು ಸಾಕ್ಷಿ ನಂ.4 ರವರ ಜೊತೆ ಘಟನೆ ಸ್ಥಳಕ್ಕೆ ಹೋಗಿ ಸಾಕ್ಷಿ ನಂ.2 ಮತ್ತು 3 ರವರಿಗೆ ಘಟನೆ ಸ್ಥಳಕ್ಕೆ ಬರಮಾಡಿಕೊಂಡು ಅಲ್ಲಿ ಇದ್ದ ಸಾಕ್ಷಿ ನಂ.5 ಹಾಗೂ 6 ರವರ ಸಹಾಯದಿಂದ ಆರೋಪಿತನ ಹತ್ತಿರ



ನಿಂತಿದ್ದ ಇನ್ನೇವಾ ಶ್ರಿಸ್ತಾ ಕಾರ ನಂ.ಕೆಎ-39/ಎಂ-2486 ಕಾರಿನಲ್ಲಿದ್ದ
370 ಸೀರೆಗಳನ್ನು ಸಾಕ್ಷಿ ನಂ.2 ಮತ್ತು 3 ರವರ ಸಮಕ್ಷಮದಲ್ಲಿ ಜಪ್ತಿ
ಮಾಡಿದ್ದು ಇರುತ್ತದೆ. ಆರೋಪಿತನು ಯಾವುದೇ ಪರವಾನಿಗೆ ಇಲ್ಲದೆ
ಪ್ಲಾಸ್ಟಿಕ್ ಕವರಗಳಲ್ಲಿ, ಸೀರೆಗಳನ್ನು ಹಂಚುತ್ತಿರುವುದು ಸಾಕ್ಷಾಧಾರಗಳಿಂದ
ಸಾಬೀತಾಗಿರುತ್ತದೆ.

ಕಾರಣ ಆರೋಪಿತನು ಕಲಂ 171[E] ಐಪಿಸಿ ಪ್ರಕಾರ
ಅಪರಾಧವೆಸಗಿರುವುದರಿಂದ ಆರೋಪಿತನ ವಿರುದ್ಧ ಈ ದೋಷಾರೋಪಣೆ
ಪತ್ರ ತಯಾರಿಸಿ ಮಾನ್ಯ ನ್ಯಾಯಾಲಯದಲ್ಲಿ ಸಲ್ಲಿಸಲಾಗಿದೆ.

ನೋಟ್:- ಈ ಪ್ರಕರಣದಲ್ಲಿನ ಸಾಕ್ಷಿ ನಂ.1 ಇವರು ಜಪ್ತಿ ಮಾಡಿದ
ಮುದ್ದೆ ಮಾಲನ್ನು ಭಾಲ್ಕಿ ನಗರ ಪೊಲೀಸರ ಠಾಣೆ ಗುನ್ಡೆ ನಂ.47/2023
ಕಲಂ 353, 341, 186, 504, 506 ಐಪಿಸಿ ನೇದರಲ್ಲಿ ಜಪ್ತಿ
ಮಾಡಿದ್ದು ಇರುತ್ತದೆ.”

8. On a careful reading of the gist of the prosecution case in C.C.No.4/2024 arising out of Crime No.46/2023, it becomes manifest that the present complaint has been instituted as a counterblast to the earlier proceedings initiated on the basis of a complaint lodged by the Assistant Returning Officer at the instance of the petitioners. The sequence of events unmistakably demonstrates that both incidents are alleged to have occurred on the same date and around the same time. The complaint in Crime No.46/2023



pertains to the illegal distribution of sarees during the election campaign by supporters of a rival political group, which was brought to the notice of the election authorities by the petitioners. The Assistant Returning Officer, acting upon such information, lodged a formal complaint resulting in registration of the said crime. The present complaint, on the other hand, appears to have been lodged immediately thereafter by the second respondent, evidently as a retaliatory measure to the earlier proceedings. The surrounding circumstances, the timing of the two complaints, and the nature of allegations clearly indicate that the instant proceedings are politically motivated and are an outcome of personal and political rivalry rather than a bona fide grievance.

9. Be that as it may, even assuming that the entire charge-sheet material is accepted at face value and without demur, this Court finds that the allegations made therein, taken as a whole, do not prima facie constitute the ingredients of the offences alleged against the petitioners. The dispute is purely political in nature, arising out of



election-related rivalry, and no act amounting to criminal intimidation, wrongful restraint, or intentional insult as contemplated under Sections 506, 341, and 504 of the IPC, respectively, can be said to be made out. The alleged incident, even if accepted in its entirety, does not disclose any overt act that would justify continuation of criminal prosecution. Permitting such proceedings to continue would not only serve no useful purpose but would also amount to harassment of the petitioners and result in misuse of the criminal justice machinery. The probability of conviction, in the facts and circumstances of the case, is virtually nil. Therefore, to prevent abuse of the process of law and to secure the ends of justice, this Court finds it just and proper to exercise its inherent powers under Section 482 of the Code of Criminal Procedure.

10. For the foregoing reasons and in view of the discussion made hereinabove, this Court proceeds to pass the following:



ORDER

- (i) The Criminal Petition is hereby allowed.
- (ii) Consequently, the FIR, complaint, charge-sheet, and all further proceedings in C.C.No.6126/2023 (arising out of Crime No.48/2023 registered by Bhalki Town Police Station, Bidar District) for the offences punishable under Sections 506, 341, 504, 323 read with Section 149 of the Indian Penal Code, pending before the Court of the Civil Judge and JMFC, Bhalki, are hereby quashed insofar as the petitioners are concerned.

Sd/-
(SACHIN SHANKAR MAGADUM)
JUDGE

NB
List No.: 1 Sl No.: 32
CT:SI