



**IN THE HIGH COURT OF KARNATAKA**  
**KALABURAGI BENCH**  
**DATED THIS THE 23<sup>RD</sup> DAY OF FEBRUARY, 2026**  
**BEFORE**  
**THE HON'BLE MR. JUSTICE RAJESH RAI K**  
**WRIT PETITION NO. 200711 OF 2025 (GM-RES)**

**BETWEEN:**

MANJUNATH  
S/O LATE DALARANGAYYA  
AGED ABOUT 34 YEARS  
WORKING AS POLICE SUB INSPECTOR  
WEST POLICE STATION  
RAICHUR-584103.

...PETITIONER

(BY SRI. M. S. BHAGWATH, SR. COUNSEL FOR  
SRI. GANESH NAIK AND  
SRI. ADITYA R. CHALEGIRI, ADVOCATES)

**AND:**

1. THE STATE BY LOKAYUKTHA POLICE  
REPRESENTED BY  
ITS POLICE INSPECTOR-1  
RAICHUR DISTRICT  
RAICHUR-584101.
2. SRI.FAROOQ S/O KHAJA HUSSAIN  
AGED ABOUT 27 YEARS  
RESIDING AT NEAR MELUSHANKARA GUDI  
GABBUR, DEBADURGA TALUK  
RAICHUR DISTRICT-584111

...RESPONDENTS

(BY SRI. GOURISH S KHASHAMPUR, SPL.PP FOR R1;  
R2 SERVED)





THIS WRIT PETITION IS FILED UNDER ARTICLES 226 OF THE CONSTITUTION OF INDIA READ WITH SECTION 528 OF BNSS, PRAYING TO ISSUE WRIT OR ORDER QUASHING THE IMPUGNED COMPLAINT DATED 22.05.2024 GIVEN BY THE RESPONDENT NO.2 TO THE RESPONDENT NO.1 (ANNEXURE-A) AND THE IMPUGNED FIRST INFORMATION REPORT REGISTERED BY THE KARNATAKA LOKAYUKTHA POLICE, RAICHUR DISTRICT RESPONDENT NO.1 IN CRIME NO.3/2024 DATED 22.05.2024 FOR THE OFFENCES PUNISHABLE UNDER SECTION 7(a) OF THE PREVENTION OF CORRUPTION ACT, 1998 (ANNEXURE-B) AND ALL FURTHER PROCEEDINGS PURSUANT THERETO, IN THE INTEREST OF JUSTICE AND EQUITY AND ETC.,

THIS PETITION, COMING ON FOR PRELIMINARY HEARING IN B-GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE RAJESH RAI K

**ORAL ORDER**

This writ petition is filed under Article 226 of the Constitution of India, seeking to quash the proceedings in Crime No.3/2024 dated 22.05.2024 for the offence punishable under Section 7(a) of the Prevention of



Corruption Act and all further proceedings pursuant thereto.

2. The factual matrix of the case is, respondent No.2 lodged a complaint before respondent No.1-Police on 22.05.2024 alleging that on 10.05.2024, the petitioner i.e., Sub-Inspector of Police, Gabbur Police Station has unlawfully taken him to Police Station and demanded a bribe of Rs.10,00,000/- from him by alleging that he has involved in IPL betting activities. Further on 11.05.2024, respondent No.2 transferred a sum of Rs.30,000/- to the petitioner through PhonePe to mobile No.9886373005, which belongs to accused No.2. Later, on 12.05.2024, respondent No.2 allegedly made further payment of Rs.70,000/- to accused No.2.

3. Further, on 20.05.2024 accused No.2 directed respondent No.2 to come to the Police Station on 21.05.2024. Accordingly, on 21.05.2024, respondent No.2 visited the Police Station, where he was asked by accused No.2 to pay a sum of Rs.75,000/-. All these conversations



were recorded by respondent No.2-complainant and finally, he lodged a complaint on 22.05.2024 before respondent No.1-Police against the petitioner and another. Based on the said complaint, respondent No.1-Police registered FIR against the petitioner and another in Crime No.3/2024 as stated supra.

4. Subsequently, respondent No.1-Police conducted a pre-trap panchanama on 22.05.2024 in the presence of panch witnesses and laid trap against the petitioner on the same day, which was unsuccessful, since the petitioner was not in office. Hence, once again the trap was postponed to 24.05.2024. On that day, the trap was successful and accused No.2 received the bribe amount from respondent No.2 on the instructions of accused No.1. Accordingly, accused No.2 was caught hold and the amount was recovered under the soil in an agricultural land. After trap, the mahazar was drawn by respondent No.1-Police and accused No.2 was produced before the Special Court and remanded to judicial custody. After the



trap, accused No.2 revealed that he received the said bribe amount on behalf of accused No.1 i.e., petitioner herein. Thereafter, respondent No.1-Police conducted the investigation. Being aggrieved by the registration of FIR and further investigation, the petitioner/accused No.1 filed this petition to quash the proceedings.

5. Heard learned Senior Counsel for the petitioner and learned Special Counsel for Lokayuktha-respondent No.1.

6. Apart from urging several contentions, learned Senior counsel primarily contented that, Section 7(a) of P.C. Act does not attract against the petitioner for the reason that he neither demanded nor accepted the bribe amount, since the prosecution failed to place *prima facie* materials to prove the ingredients of offence i.e., (a) demand, (b) acceptance and (c) work entrustment or work pending. According to the learned Senior counsel, at no point of time, the petitioner has demanded the illegal gratification and the conversation allegedly recorded by



respondent No.2 do not disclose the specific demand made by petitioner as stated in the pre-trap mahazar. He also contended that initially the trap was unsuccessful which fortifies that the petitioner has not made any demand for illegal gratification by respondent No.2. He also contended that there is an inordinate delay of 12 days in lodging the complaint. In such circumstances, he submits that, for the alleged act committed by accused No.2, the petitioner cannot be vicariously held responsible. To buttress his argument, he relied on the judgment of Co-ordinate Bench of this Court in the case of ***Sri. Hemanth Kumar C Vs. The State by Karnataka Lokayukta Police and Another***, in ***W.P.No.104133/2023*** dated 30.01.2025, which was affirmed by the Hon'ble Apex Court in Special Leave Petition (Criminal) Diary No.36270/2025 dated 22.08.2025. With these submissions, he prays to allow the petition.

7. *Per contra*, learned Special counsel for respondent No.1 opposed the prayer by relying on the



entrustment panchanama dated 22.05.2024 contended that, on 10.05.2024 and on subsequent dates till 21.05.2024, the petitioner/accused No.1 repeatedly made demands of illegal gratification from respondent No.2. He submits that the details of the demand made by the petitioner is clearly forthcoming in the panchanama. As such, he submits that there is no delay in lodging the complaint i.e., the complaint was lodged on 22.05.2024 and the petitioner demanded the illegal gratification till 21.05.2024. Lastly, he submits that the investigation is still under progress and at this stage, the proceedings cannot be quashed against the petitioner. Accordingly, he prays to dismiss the petition.

8. I have given my anxious consideration both on the submissions made by the learned counsel for the respective parties and the documents made available on record.

9. On perusal of the complaint and other documents, it could be gathered that the complaint lodged



by respondent No.2 specifically aver that the petitioner along with the Police Constable/accused No.2 have taken him to the Police Station on 10.05.2024 and demanded Rs.10,00,000/- stating that he is involved in the IPL betting activities and they made him to sit in the Police Station till evening. On that day, he paid Rs.30,000/- to accused No.2's mobile number through PhonePe. Later, he was let out by the petitioner and once again he paid a sum of Rs.70,000/- after two days i.e., on 12.05.2024.

10. The contention of learned Senior counsel for the petitioner that there is an inordinate delay of 12 days in lodging the complaint cannot be accepted for the reason that, on perusal of the entrustment panchanama the same depicts that on 21.05.2024 there was a demand by the petitioner and the translation of the voice recorder reveals that the petitioner demanded a sum of Rs.2,00,000/-. On the very next day i.e. on 22.05.2024 the complaint was lodged by respondent No.2. Though the trap was unsuccessful on 22.05.2024, on 24.05.2024 accused No.2



accepted the bribe amount and caught hold red handedly and volunteered before respondent No.1-Police that he had received an amount on behalf of accused No.1/petitioner.

11. In such circumstances, as held by the Hon'ble Apex Court in the case of ***Devendra Kumar Bansal vs. State of Punjab*** in ***Special Leave to Appeal (Crl) No.3247/2025***, *Section 7 speaks of the "attempt" to obtain a bribe as being in itself an offence. Mere demand or solicitation, therefore, by a public servant amounts to commission of an offence under Section 7 of P.C. Act. The Hon'ble Apex Court held that the word 'attempt' is to imply no more than a mere solicitation, which, again may be made by effectually in implicit or in explicit terms.*

12. The entire matter is only at a pre-mature stage and the investigation has not proceeded with, except some preliminary effort taken on the date of registration of the case. The evidence has to be gathered after a thorough investigation and placed before the Court on the basis of



which alone, Court can come to a conclusion one way or other on the plea of malafides. If the allegations are breft of truth and made malicious, the investigation will reveal the same. At this stage, when there are only allegations and recriminations but no evidence, this Court cannot anticipate the result of the investigation and render a findings on the question of malafides on the materials at present available. Therefore, it cannot be said that the complaint should be thrown overboard on the mere unsubstantiated plea of malafides. In the case on hand, prima facie the complaint discloses that the offence is made out against the petitioner as stated supra. As such, the FIR cannot be quashed.

13. Moreover, the Hon'ble Apex Court in the case of ***Anil Bhavarlal Jain and Another Vs. The State of Maharashtra and Others***, in SLP (CrI.)No.10078/2023 held that, in the case of special statute i.e., the prevention of corruption Act, quashing of offence would have a grave and substantial impact not just on the parties involved,



**NC: 2026:KHC-K:1786**  
**WP No. 200711 of 2025**

but also on the society at large. In the facts and circumstances of this case, I am of the considered view that the petition lacks merit and the same is ***dismissed***.

**Sd/-**  
**(RAJESH RAI K)**  
**JUDGE**

MSR  
List No.: 1 Sl No.: 55  
CT-BH