



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 27TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE G BASAVARAJA

CRIMINAL PETITION NO. 200440 OF 2026

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

C/W

CRIMINAL PETITION NO. 200439 OF 2026

IN CRL.P No. 200440/2026

BETWEEN:

AKHIL
S/O ASHOK GADAGI
AGE: 28 YEARS, OCC: AGRICULTURE,
R/O IBRAHIMPUR, VIJAYAPURA.

...PETITIONER

(BY SRI. YASHAS S. DIKSHIT., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
BY THROUGH JALA NAGAR POLICE STATION,
REP BY HCGP HIGH COURT OF KARNATAKA.
2. TUSAR S/O AJAY SUKHADEVE
AGE: 33 YEARS, OCC: BANK EMPLOYEE,
R/O GANESH NAGAR, VIJAYAPURA.

...RESPONDENTS

(BY SRI.JAMADAR SHAHABUDDIN HCGP FOR R1
SRI.VISHWA PRAKASH S. SAJJAN ADV FOR R2)

THIS CRL.P IS FILED U/S 528 OF BNSS (NEW), U/S.482
OF CR.P.C.(OLD), PRAYING TO QUASH THE PROCEEDING



AGAINST THE PETITIONERS HEREIN CRIME NO.11/2026 REGISTERED BY JALA NAGAR POLICE STATION, VIJAYAPURA PENDING ON THE FILE OF III ADDL. SENIOR CIVIL JUDGE AND JMFC, VIJAYAPURA FOR THE OFFENCES PUNISHABLE UNDER SECTION 121(1), 132, 351(2) AND 352 OF BNS-2023.

IN CRL.P NO. 200439/2026

BETWEEN:

TUSAR SUKHADEVE
AGE: 33 YEARS, OCC: BANK EMPLOYEE,
R/O NEAR TAJ KIRANA SANJAYAGANDI NAGAR
NAGAPUR NOW AT GANESH NAGAR,
VIJAYAPURA-586102

...PETITIONER

(BY SRI. VISHWA PRAKASH S. SAJJAN., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
BY THROUGH JALA NAGAR POLICE STATION,
REP BY HCGP
HIGH COURT OF KARNATAKA-585107
2. AKHIL GADAGI S/O ASHOK GADAGI
AGE: 28 YEARS, OCC: AGRICULTURE,
R/O IBRAHIMPUR, NEAR NO.6 GOVT. SCHOOL,
VIJAYAPURA-585107.

...RESPONDENTS

(BY SRI. BY SRI.JAMADAR SHAHABUDDIN HCGP FOR R1
SRI.YASHAS S. DIKSHIT ADV FOR R2)

THIS CRL.P IS FILED UNDER SECTION 528 OF BNSS (NEW), U/S.482 OF CR.P.C.(OLD), PRAYING TO QUASH THE PROCEEDINGS AGAINST THE PETITIONERS HEREIN IN CRIME NO.12/2026 REGISTERED BY JALA NAGAR POLICE STATION, VIJAYAPURA PENDING ON THE FILE OF III ADDL. SENIOR CIVIL JUDGE AND JMFC, VIJAYAPURA, FOR THE OFFENCES PUNISHABLE UNDER SECTION 115(2), 126, 351(2), 352, R/W 3(5) OF BNS -2023.



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

CORAM: HON'BLE MR. JUSTICE G BASAVARAJA

ORAL ORDER

The petitioners are before this Court seeking following relief:

"It is most humbly prayed before this Hon'ble Court to quash the further proceedings against the petitioners herein in Crime No.11/2026, registered by Jala Nagar Police Station, Vijayapura pending on the file of III Addl. Senior Civil Judge and JMFC, Vijayapura, for the offences punishable under Section 121(1), 132, 351(2) and 352 of Bharatiya Nyaya Sanhita, 2023.

OR

To pass any other order as the Court deems fit in the interest of justice.

2. The application is filed under Section 359 read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, pertaining to proceedings in Crime No.11/2026 registered by Jala Nagar Police Station, pending on the file of III Addl. Senior Civil Judge and JMFC, Vijayapur, for the offences punishable under



Sections 115(2), 126(2), 351(2), 352, 3(5), and 152 of the Bharatiya Nyaya Sanhita, 2023.

3. This application is supported by the affidavits of Tusar Ajay Suikhadeve (Accused No. 1) and Akhil S/o Ashok Gadagi (Respondent No. 2). In their affidavits, they have clearly stated that in view of an amicable settlement between them, they have no objection to the quashing of the proceedings. The alleged commissions of offences are not punishable with death or imprisonment for life and are exclusively triable by the Court of Magistrate.

4. Considering the reasons assigned in the affidavits and the facts and circumstances of this case, I proceed to pass the following order:

ORDER

- i. The application filed under Section 359 read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is allowed. Consequently, the petition filed under Section



528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is allowed.

- ii. The proceedings initiated against the petitioners in Crime No.11/2026 of Jala Nagar Police Station, pending on the file of III Additional Senior Civil Judge and JMFC, Vijayapura, are hereby quashed.

Sd/-
(G BASAVARAJA)
JUDGE

TIN
List No.: 1 Sl No.: 35