



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 22ND DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE G BASAVARAJA

CRIMINAL PETITION NO. 200534 OF 2026

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

BETWEEN:

1. SRI.VISHWANTH
S/O MAHADEVAPPA MUDARADDI
AGE: 39 YEARS, OCC: PSI YEDRAMI
POLICE STATION YEDRAMI
R/O YALAGOD, TQ: YEDRAMI
DIST: KALABURAGI-585325
2. SRI. SHIVALINGAPPAGOUDA @ SHIVAGOUDA
S/O VISHWANATH GOUDA
AGE: 32 YEARS
OCC: POLICE CONSTABLE YEDRAMI
R/O YALAGOD, TQ: YEDRAMI
DIST: KALABURAGI-585325
3. SRI. BASHA PATEL @ BADASHYASAB
S/O SAIPANSAB MUJAWAR,
OCC: POLICE CONSTABLE YEDRAMI
POLICE STATION, R/O YALAGOD
TQ: YEDRAMI, DIST: KALABURAGI-585325

...PETITIONERS

(BY SRI. B BHIMASHANKAR., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
THROUGH YEDRAMI POLICE STATION
REPRESENTED BY ADDL. SPP





HIGH COURT BUILDING
HIGH COURT OF KARNATAKA
AT KALABURAGI-585102

2. KUMAR VIJAYALAXMI
D/O SHIVAPPA TANAKEDAR
AGE: 25 YRS, OCC: PRIVATE WORK
R/O YALAGOD, TQ: YEDRAMI
DIST: KALABURAGI.

...RESPONDENTS

(BY SRI.GOPALKRISHNA B. YADAV, HCGP FOR R1)

THIS CRL.P IS FILED U/S.482 OF CR.P.C. (OLD), U/SEC. 528 OF BNSS (NEW), PRAYING TO QUASH THE PROCEEDINGS REGISTERED IN PCR NO.10/2026 FOR THE ALLEGED OFFENCES PUNISHABLE UNDER SECTION 155(2), 118(1), 118(2), 126(2), 127(2), 128, 129, 130, 74, 78, 308(2), 308(3), 356(2), 352, 351(1), 351(3) R/W SEC.190 OF BNS ACT 2023 PENDING ON THE FILE OF LEARNED CIVIL JUDGE AND JMFC AT JEWARGI.

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

CORAM: HON'BLE MR. JUSTICE G BASAVARAJA

ORAL ORDER

The petitioners have filed this petition under Section 528 of BNSS, 2023 seeking following relief:

"Wherefore, it is most humbly prayed that Hon'ble court may be pleased to quash the proceedings registered in PCR. NO.10/2026 for the alleged offences punishable under section 155(2),



118(1), 118(2), 126(2), 127(2), 128, 129, 130, 74, 78, 308(2), 308(3), 356(2), 352, 351(1), 351(3) R/W Sec. 190 of BNS Act 2023 pending on the file of learned Civil Judge and JMFC at Jewargi, in the interest of justice."

2. I have perused the materials placed before this Court.

3. The complainant-Vijaylaxmi filed the complaint in the learned Civil Judge and JMFC, Jewargi in PCR.No.10/2026 against accused Nos.1 to 3 for the offence under Sections 324(5), 329(3) of BNS, 2023. This complaint is supported with the affidavit and documents. After filing this PCR.No.10/2026 the Court passed the order dated 11.03.2026 are as under:

"Complainant counsel filed IA No.1 for production of documents and IA No.2 to appoint I.O. Heard on IA No. 1 and 2.

On perusal of complaint, A1 is PSI, A2 and 3 are police constables. Counsel for complainant filed IA No.1 to produce the CC footage of YPS dated 02.03.2026 and 03.03.2026. Heard and satisfied with the reasons mentioned IA No. 1. Hence, IA No.1



is allowed. SHO of YPS is directed to furnish the CC footage of YPS dated 02.03.2026 and 03.03.2026 on or before next date of hearing without fail. Issue intimation.

On perusal of records, the complainant did not follow the guide lines issued by the Hon'ble Apex Court in the case of Priyanka Srivatsav V/s. State of UP.

Hence, complainant is directed to comply the guide lines issued by the Hon'ble Apex Court in the case of Priyanka Srivatsav V/s. State of UP.

For compliance report by 23-03-2026."

4. That on 23.03.2026 the Civil Judge and JMFC, Jewargi has passed the following order:

"PSI of Yadrami PS Furnish the pendrive and counsel for complainant complied the guideliness of Prayanka Srivatsav V/s. State of UP and also filed postal receipt and also filed application U/s.175(4) of BNSS to take cognizance against A1 to 8. As per section 223(2) of BNSS, wherein it is contemplated that, when accused a public servant the court should give an opportunity to make assertion as to the situation lead to the incident so alleged. In the present case A1 to 3 are the police officials, before



taking cognizance it is necessary to hear the objection of the A1 to 3. Therefore, issue notice on complaint to A1 to 3 if steps taken by 27-04-2026."

5. On perusal of this materials placed before this Court I do not find any legal or factual error in the impugned order passed by the Civil Judge and JMFC, Jewargi. The accused Nos.1 to 3 can file objections before the learned Magistrate. Accordingly, at this stage I do not find any grounds to quash the proceedings. Hence, the petition is ***dismissed***.

**Sd/-
(G BASAVARAJA)
JUDGE**

TIN
List No.: 1 Sl No.: 34 CT-BH