



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. 201224 OF 2025

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

BETWEEN:

1. REKHA W/O MALLIKARJUNA
AGE: 25 YEARS, OCC: HOUSEHOLD
2. VENKATESH @ YANKAPPA POOJARI
S/O YAMANAPPA, AGE: 50 YEARS
OCC: COOLIE
3. SANGAMMA
W/O VENKATESH @YANKAPPA POOJARI
AGE: 47 YEARS, OCC: COOLIE
4. SUMITRA W/O DINESH PATIL
AGE: 23 YEARS, OCC: HOUSEHOLD
5. DINESH S/O PHAKIRAPPA PATIL
AGE: 25 YEARS, OCC: DRIVER
6. MAHANTESH S/O HANUMANTRAYA
AGE: 30 YEARS, OCC: DRIVER

ALL ARE RESIDENTS OF KOUJAGANOOR VILLAGE
HUNAGUND TALUK, BAGALKOT DISTRICT

...PETITIONERS

(BY SRI. SHIVAYOGESH SHIVAYOGIMATH., ADVOCATE)



AND:

1. THE STATE OF KARNATAKA
BY SHO, GOGI POLICE STATION
REP. BY STATE PUBLIC PROSECUTOR
HIGH COURT OF KARNATAKA
BENCH AT KALABURAGI-585103
2. SANTOSH
S/O RANGAPPA IRABAGERI
AGE: 34 YEARS, OCC: AGRICULTURE
R/O GOGI (K), TQ: SHAHAPUR
DIST: YADGIR-585223

...RESPONDENTS

(BY SRI.JAMADAR SHAHABUDDIN, HCGP FOR R1;
R2 SERVED)

THIS CRL.P IS FILED U/S.482 OF CR.P.C. (OLD), U/SEC. 528 OF BNSS (NEW), PRAYING TO A) QUASH THE ENTIRE PROCEEDINGS IN C.C. NO.1202/2024 ON THE FILE OF THE ADDL. JMFC SHAHAPUR FOR OFFENCES PUNISHABLE UNDER SECTIONS 324, 354, 504, 506 AND 149 IPC, VIDE ANNEXURE-C.

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 Bharatiya Nagarik Suraksha Sanhita, 2023 seeking following relief's:



"Wherefore, for the reasons stated above the petitioners most respectfully prays that this Hon'ble Court may kindly be pleased to:

- (a) Quash the entire proceedings in C.C.No.1202/2024 on the file of the Addl. JMFC, Shahapur, for the offence punishable under Sections 324, 354, 504 r/w 149 of IPC, vide Annexure-C in the interest of justice and equity;*
- (b) Pass such other or further orders as this Hon'ble Court may deem fit in the circumstances of the case."*

2. Heard the learned counsel for the petitioner and the learned High Court Government Pleader for the respondent No.1 - State.

3. Learned counsel for the petitioners would submit that the cognizance taken by the learned Civil Judge and JMFC, Shahapur, in C.C.No.1202/2024 is erroneous, improper and contrary to the facts and circumstances of the case. The alleged incident took place on 24.01.2024 and the complainant sent the complaint through a registered post on 27.02.2024 stating that Gogi Police have refused to take complaint. However, the



statement of complainant in the complaint and sworn statement are contradictory to each other. The said complaint is an after thought. On the ground of delay and latches, the said proceedings are liable to be quashed. The allegations are false, frivolous and motivated by personal vendetta. The complaint appears to be an afterthought and is an abuse of process of law. The dispute is essentially of a civil and matrimonial nature and no ingredients of the alleged IPC sections are made out against the petitioners. The complainant and family members of the husband have filed a false complaint with the mala-fide intention only to harass the petitioners. The complainant is the relative of petitioner's husband, who is indulging between her and her husband and has given a false complaint making allegations, though the petitioner has no role and it could be seen that her husband has pacified the quarrel between them. Though, it is her family matter, he has filed the complaint which is not



sustainable. On all these grounds, sought for allowing of the petition.

4. *Per contra*, learned High Court Government Pleader appearing for respondent No.1-State opposed to the petition.

5. I have examined the materials placed before this Court.

6. The complainant has lodged a complaint under Section 200 of Cr.P.C. on 06.05.2024. Prior to this complaint before the Court, the respondent No.2 has approached the Superintendent of Police, Yadgir, and the copy of the complaint filed before the Superintendent of Police, Yadgir and registered postal receipts are produced. Since the police have failed to take action against the accused, the complainant has filed the private complaint which is registered in P.C.No.58/2024. The Trial Court has recorded the sworn statement of the complainant and complainant has produced three documents Exs.P1 to P3



and another three documents are marked as Exs.C1 to C3. Thereafter, the trial Court has passed an order to register the case against the accused Nos.1 to 6 and issued summons to the accused. On perusal of the materials placed before this Court, at this stage, I do not find any grounds to quash the proceedings. Hence, I proceed to pass the following:

ORDER

The Criminal Petition is ***dismissed***.

Sd/-
(G BASAVARAJA)
JUDGE