



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 2ND DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE RAJESH RAI K

CRIMINAL PETITION NO. 201827 OF 2025
(482(Cr.PC)/528(BNSS))

BETWEEN:

1. SHIGONDAPPA S/O. SIDDAPPA GADED,
AGE 32 YEARS, OCC. AGRICULTURE,
R/O GANIHAR VILLAGE, TQ. SINDAGI.
2. RAMACHANDRA S/O. SIDDAPPA GADED
AGE 30 YEARS, OCC. AGRICULTURE,
R/O GANIHAR VILLAGE, TQ. SINDAGI.
3. MALLAPPA S/O. SIDDAPPA GADED,
AGE 36 YEARS, OCC. AGRICULTURE,
R/O GANIHAR VILLAGE, TQ. SINDAGI.
4. SHANKREPPA S/O. SIDDAPPA GADED,
AGE 28 YEARS, OCC. AGRICULTURE,
R/O GANIHAR VILLAGE, TQ. SINDAGI.
5. SIDDAPPA S/O. BELLAPPA GADED
AGE 60 YEARS, OCC. AGRICULTURE
R/O GANIHAR VILLAGE, TQ SINDAGI.

...PETITIONERS

(BY SMT. SHRIDEVI SHARANABASAPPA, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
THROUGH SUB-INSPECTOR OF POLICE,

Digitally signed by
SHIVALEELA
DATTATRAYA UDAGI
Location: HIGH
COURT OF
KARNATAKA



SINDAGI POLICE STATION
TQ. SINDAGI, DIST. VIJAYAPUR.

2. JAGADEVAPPA S/O. MALAPPA PUJARI
AGE 33 YEARS, OCC. AGRICULTURE
R/O GANIHAR, TQ. SINDAGI, VIJAYAPURA.

...RESPONDENTS

(BY SRI JAMADAR SHAHABUDDIN, HCGP FPR R1;
SMT. VIJAYA M. PATIL, ADV. FOR R2)

THIS CRIMINAL PETITION IS FILED U/S.482 OF CR.P.C. (OLD), U/SEC. 528 OF BNSS (NEW), PRAYING TO QUASH THE FIR FILED BY THE RESPONDENT NO.1 POLICE IN CRIME NO.226/2025 OFFENCES PUNISHABLE U/S 115(2), 117(2), 189(1)(4), 351(3), 351(3), 356(1), 130, 303(1), 118, 249, 109 R/W 3(5) OF BNS 2023 IN SINDAGI PS ON THE FILE OF SENIOR CIVIL JUDGE SINDAGI.

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

CORAM: HON'BLE MR. JUSTICE RAJESH RAI K

ORAL ORDER

This petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, to quash the proceedings against the petitioners/accused Nos.1 to 5 in Crime No.226/2025 of Sindagi Police, for the offences punishable under Sections 115(2), 117(2), 189(1), 189(4), 351(3), 356(1), 130, 303(1), 118, 249, 109 r/w Section 3(5) of



BNS, 2023, presently pending on the file of Prl. Civil Judge (Sr. Dn.) and CJM, Sindagi, Vijayapur.

2. The abridged facts of the case are that, there was a dispute between the petitioners' family and respondent No.2's family with respect to long standing boundary dispute concerning their respective agricultural holdings. According to the petitioners, respondent No.2's family members encroached a portion of the petitioners' land, whereas they have stated that an excess land, if any, found upon measurement after harvest, would be restored to the petitioners. As such, there was an altercation between two families on 31.07.2025 at about 9.00 a.m., which resulted in scuffle between them. Consequently, both the family members approached respondent No.1 – Police and lodged a complaint against each other i.e., respondent No.2 lodged the complaint against the petitioners in Crime No.226/2025, whereas the complaint lodged by one Rajashree i.e., family member of petitioners against respondent No.2's family members was



registered in Crime No.219/2025. Hence, the petitioners are before this Court to quash the FIR in Crime No.226/2025.

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

4. On perusal of the materials, the same reveals that, in respect of the same incident, a complaint has been lodged by one Muttavva i.e., family member of respondent No.2 in Crime No.217/2025. In the said complaint, said Muttavva stated that respondent No.2-Jagadevappa was also present at the time of incident and he also sustained injuries. As such, initially, when Muttavva lodged the aforesaid complaint against the petitioners and the subsequent complaint in respect of same incident by respondent No.2 against the petitioners in Crime No.226/2025 is not maintainable. Hence, the proceedings against the petitioners cannot be continued. Accordingly, I proceed to pass the following;



ORDER

- i. The petition is ***allowed***.
- ii. The proceedings against the petitioners/accused Nos.1 to 5 in Crime No.226/2025 registered by Sindagi Police, for the offences punishable under Sections 115(2), 117(2), 189(1), 189(4), 351(3), 356(1), 130, 303(1), 118, 249, 109 r/w Section 3(5) of BNS, 2023, presently pending on the file of Prl. Civil Judge (Sr. Dn.) and CJM, Sindagi, Vijayapur, is hereby quashed.

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

SWK
List No.: 1 Sl No.: 26
CT-RJ