



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. 201870 OF 2025
(482(Cr.PC)/528(BNSS))

BETWEEN:

1. SHANKREPPA S/O. SIDDAPPA GADED @ KURUB,
AGE 28 YEARS, OCC. AGRICULTURE,
R/O GANI HAR VILLAGE, TQ. SINDAGI.
2. SIDDAPPA S/O. BELLAPPA GADED
AGE 60 YEARS, OCC. AGRICULTURE
R/O GANI HAR VILLAGE, TQ. SINDAGI.
3. MALLAPPA S/O. SIDDAPPA GADED @ KURAB,
AGE 36 YEARS, OCC. AGRICULTURE,
R/O GANI HAR VILLAGE, TQ. SINDAGI.
4. RAMACHANDRA S/O. SIDDAPPA GADED @ KURAB
AGE 30 YEARS, OCC. AGRICULTURE,
R/O GANI HAR VILLAGE, TQ. SINDAGI.
5. SHIVAGONDAPPA S/O. SIDDAPPA GADED @ KURAB,
AGE 32 YEARS, OCC. AGRICULTURE,
R/O GANI HAR VILLAGE, TQ. SINDAGI.
6. UMASHREE W/O. MALLAPPA GADED @ KURAB
AGE 30 YEARS, OCC. H.H.WORK,
R/O GANI HAR VILLAGE, TQ. SINDAGI.
7. VIJAYALAXMI W/O. SHIVAGONDAPPA
GADED @ KURAB

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



AGE 28 YEARS, OCC. H.H.WORK,
R/O GANIHAR VILLAGE, TQ. SINDAGI.

8. RAJASHREE W/O. RAMACHANDRA
GADED @ KURAB,
AGE 25 YEARS, OCC H.H.WORK,
R/O GANIHAR VILLAGE, TQ. SINDAGI.
9. LAXMI W/O. SHANKREPPA
GADED @ KURAB,
AGE 23 YEARS, OCC. H.H.WORK,
R/O GANIHAR VILLAGE, TQ. SINDAGI.
10. SATAVVA W/O. SIDDAPPA GADED
@ KURAB, AGE 55 YEARS, OCC H.H.WORK
R/O GANIHAR VILLAGE, TQ. SINDAGI.

...PETITIONERS

(BY SMT. SHRIDEVI SHARANABASAPPA, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
THROUGH SUB-INSPECTOR OF POLICE,
SINDAGI POLICE STATION.
TQ. SINDAGI, DIST. VIJAYAPUR.
REP. ADDL. SPP, HCK KALABURAGI
2. MUTTAVVA W/O. JETTEPPA
CHINAMALLI,
AGE 65 YEARS, OCC. AGRICULTURE,
R/O GANIHAR, TQ. SINDAGI,
DIST. VIJAYAPUR.

...RESPONDENTS

(BY SRI VEERANAGOUDA MALIPATIL, HCGP FOR 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 ALLOW THE
PETITION AND TO QUASH THE FIR TO FILED BY THE



RESPONDENT NO.1 IN CRIME NO.217/2025 IN SINDAGI PS DIST. VIJAYAPUR OFFENCE PUNISHABLE U/S 189(3), 191(2), 191, 126(2), 115(2), 118, 74, 352, 351(3) R/W 190 BNS 2023 ON THE FILE SENIOR CIVIL JUDGE SINDAGI VIJAYAPUR IN THE INTEREST OF JUSTICE.

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 10 in Crime No.217/2025 of Sindagi Police, pending on the file of Prl. Civil Judge (Sr.Dn) and CJM, Sindagi, Vijayapur for the offences punishable under Sections 189(3), 191(2), 191, 126(2), 115(2), 118, 74, 352, 351(3) r/w Section 190 Bharatiya Nyaya Sanhita, 2023 [for brevity, 'the BNS, 2023'].

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.217/2025, whereas the complaint lodged by one Rajashree i.e., petitioner No.8 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.217/2025.

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 had been lodged by one Jagadevappa i.e., family members of respondent No.2 in Crime No.226/2025. As such, there are case and counter case filed by the petitioners and respondent No.2's family members. Moreover, in Crime No.219/2025, accused No.1-Jagadevappa approached this Court by filing Crl.P.No.201311/2025, the same was dismissed by observing that case and counter case filed against family members shall be tried together, since the incident in question is not disputed. In such circumstance, the proceedings against the petitioners cannot be quashed. Accordingly, the petition lacks merit and the same is ***dismissed***.

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