



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 5TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE RAJESH RAI K

CRIMINAL PETITION NO. 201853 OF 2025

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

BETWEEN:

1. AMBALAPPA HOSAMANI @ A B HOSAMANI
S/O BHEMAPPA HOSAMANI
AGED 57 YEARS, OCC. SOCIAL WORKER
R/O MSK MILL ROAD,
BASAVA NAGAR
KALABURAGI – 585101.
2. SANTOSH JAMADAR
S/O NARASAPPA JAMADAR
AGED 37 YEARS, OCC. SOCIAL WORKER
R/O NEAR ALAND CHECK POST
KALABURAGI – 585101.

...PETITIONERS

(BY SRI SANJAY KULKARNI, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
THROUGH THE PSI
BRAHMAPUR P.S. KALABURAGI
REP BY ADDL SPP
HIGH COURT OF KARNATAKA
KALABURAGI, KALABURAGI – 585101.
2. SRI SIDDALINGA SWAMIJI
AGE 47 YEARS, OCC SOCIAL WORKER
R/O KARUNESHWARA MATA ANDOLA VILLAGE

Digitally signed
by SHIVALEELA
DATTATRAYA
UDAGI

Location: HIGH
COURT OF
KARNATAKA



JEVARGI TQ AND DIST KALABURAGI.

...RESPONDENTS

(BY SRI G B YADAV, HCGP FOR R1;
SRI RAMACHANDRA K., FOR R2)

THIS CRL.P IS FILED U/S. 528 OF BNSS, U/SEC 482 OF CR.P.C. PRAYING TO QUASH THE FIR AND COMPLAINT DATED 16.10.2025 IN CRIME NO. 172/2025 FILED BY THE 1ST RESPONDENT POLICE AGAINST THE PETITIONERS HEREIN FOR THE OFFENCE PUNISHABLE U/SEC 23 POCSO ACT 2012 AND U/SEC 72 OF BNS, ACT 2023 AND ALSO QUASH ALL THE FURTHER PROCEEDINGS PURSUANT TO THE REGISTRATION OF ABOVE MENTIONED FIR IN CRIME NO. 172/2025 WHICH IS PENDING ON THE FILE OF II ADDL DISTRICT AND SESSIONS JUDGE AT KALABURAGI IN THE INTEREST OF JUSTICE AND EQUITY.

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 FIR and complaint against the petitioners/accused Nos.1 and 2 in Crime No.172/2025, registered by Brahmapur Police, Kalaburagi, for the offences punishable under Sections 23 of the Protection of Children from Sexual Offences Act, 2012 (for brevity "POCSO Act") and Section 72 of the



Bharatiya Nyaya Sanhita, 2023 (for short "BNS, 2023") pending on the file of II-Addl. Dist. & Sessions Judge, Kalaburagi.

2. Learned counsel for the petitioners vehemently contented that, on perusal of the complaint averments, there is no intention on the part of the petitioners either to disclose the name of the victim girl or to defame the victim and her family members. As such, while he handing over cash of Rs.54,000/-, he has disclosed the name with the consent of her family members. As such, offence under Section 72 does not attract against the petitioners. He also contended that the incident was photographed by petitioner No.2, in the said video also, no such intention is forthcoming on the part of the petitioners.

3. However, learned High Court Government Pleader fairly submits that, if petitioners having the materials, they are free to produce the same before the Investigating Officer, since the investigation is under progress.



4. Reserving liberty to the petitioners to produce the photographs or any other material evidence before the Investigating Officer, petition is ***disposed of***.

5. It is made clear that, upon such production, Investigating Officer shall fairly consider the same in accordance with law.

6. It is also made clear that, if charge-sheet is filed, the petitioners are at liberty to renew their prayer.

Sd/-
(RAJESH RAI K)
JUDGE

SDU
LIST NO.: 1 SL NO.: 17
CT:RJ