



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 19TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MRS. JUSTICE M G UMA

CRIMINAL PETITION NO. 6805 OF 2022

BETWEEN:

RAMANA REDDY G V

[REDACTED]

...PETITIONER

(BY SRI. JAYSHAM JAYASIMHA RAO, ADVOCATE)

AND:

1. STATE OF KARNATAKA
BY CHENNAMANAKERE
ACHU KATTU P.S
REPRESENTED BY SPP,
HIGH COURT BUILDING,
AMBEDKAR VEEDHI,
BENGALURU - 560 001

2. SMT. SHANTHI K

[REDACTED]

...RESPONDENTS

(BY SRI. RANGASWAMY R., HCGP FOR R1)





SRI. THIMMANNA BHAT DEVATHE, ADVOCATE FOR R2)

THIS CRL.P IS FILED U/S.482 CR.P.C PRAYING TO A) QUASH THE FIR BEARING CR.NO.181/2021 DATED 15.09.2021 REGISTERED BY THE CHANNAMMANAKERE ACHU KATTU POLICE STATION AGAINST THE PETITIONER FOR ALLEGED OFFENCE P/U/S 341, 427, 504 AND 506 OF IPC AT ANNEXURE-A.

THIS CRL.P, COMING ON FOR ADMISSION, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MRS. JUSTICE M G UMA

ORAL ORDER

The petitioner being accused in Crime No.181/2021 of Channammanakere Achu Kattu Police Station in CC.No.10494/2022 pending on the file of the learned II Additional Chief Metropolitan Magistrate, Bengaluru registered for the offences punishable under Sections 341, 427, 504 and 506 of Indian Penal Code (for short 'IPC') is seeking to quash the criminal proceedings initiated against him.

2. Heard Sri. Jaysham Jayasimha Rao, learned counsel for the petitioner, Sri. Rangaswamy. R, learned HCGP for respondent No.1 and Sri. Thimmanna Bhat Devathe, learned counsel for respondent No.2. perused the materials on record.



3. In view of the rival contentions urged by learned counsel for both the parties, the point that would arise for my consideration is:

"Whether the petitioners have made out any grounds to allow the petition and to quash the criminal proceedings initiated against him?"

My answer to the above point is in the 'Affirmative' for the following:

REASONS

4. Undisputed facts of the case are that, respondent No.2 filed the first information with Channammanakere Achu Kattu Police Station on 03.02.2021 as per Annexure-R1 alleging that the petitioner being the Junior Wireless Officer entered her chamber shouting against her. Immediately she called her other colleagues while the petitioner has lifted a chair, threatening that he will smash her head. Respondent No.2 stated that, she started video recording the behavior of the petitioner, who has criminally intimidated her. He came close to respondent No.2 and snatched the mobile phone and damaged it. Therefore, she requested the Police to register the case and



to take necessary action. The Police registered NCR as per Annexure-R2 on the same day.

5. Subsequently, respondent No.2 filed the first information on 15.09.2021, upon which the FIR came to be registered on the same day in Crime No.181/2021 of Channammanakere Achu Kattu Police Station for the above said offences. The petitioner is before this Court seeking to quash the criminal proceedings initiated against him.

6. While addressing arguments, learned counsel for the petitioner has placed reliance on the decision of the Co-ordinate Bench of this Court in ***A Srinivas and Others V.s State of Karnataka and Others¹***, where the Court has held that, when NCR was registered on filing the first information at the first instance and the FIR came to be registered on basis of the similar complaint which was filed at the later point of time, without there being any change in circumstance will fall under clause 7 of paragraph No.19 of the decision of the Hon'ble Apex

¹ WP.No.35377/2016 DD 12.12.2018



Court in ***State of Haryana V.s Bhajan Lal²***, and therefore, the criminal proceedings is liable to be quashed.

7. Learned counsel for respondent No.2 submits that, even though, NCR was registered on the basis of the first complaint, respondent No.2 had approached the National Commission for Women and as per the directions from the National Commission for Women the FIR came to be registered. Even though, he has produced several correspondence with the National Commission for Women, the same do not disclose that any proceeding was held before the Commission or any direction was issued to the Police for registering the FIR. According, to the learned counsel for the petitioner, respondent No.2 had not appeared before the Commission and therefore, a notice as per Annexure-R4 was issued but inspite of that she has not appeared before the Commission and therefore, the proceedings was closed.

8. Subsequently, on 15.09.2021, after laps of about twelve days of the incident, another complaint produced as per Annexure-B along with the petition came to be filed which is

² 1992 AIR 604



almost similar to the complaint that was filed at the first instance. On basis of the same, the FIR came to be registered. Even though, the final report came to be filed alleging commission of the offences punishable under Sections 341, 427, 504, and 506 of IPC, it is not made clear as to why the FIR came to be registered on the basis of the second complaint when initially the NCR came to be registered.

9. Section 154(3) of Cr.P.C gives an option to the informant to send the subsistence of such information in writing and by post, to the Superintendent of Police, if the officer in-charge of the Police Station refuses to record the information and investigate on the same. Admittedly, the said procedure was not followed by the informant. Even though, it is stated that respondent No.2 had approached the National Commission for Women, no proceedings appears to have been taken place before the Commission and the FIR came to be registered on the basis of the second complaint which was verbatim similar to the first compliant.

10. When an NCR is issued meaning there by the offence alleged is classified as non-cognizable and such report



is filed, the procedure as referred to in Section 155 of Cr.P.C is to be followed. Therefore, once NCR is registered, the Police Officer cannot proceed to register the FIR on the basis of a similar second complaint and proceed with the investigation without assigning any reason for such action.

11. Under such circumstance, I am of the opinion that registration of FIR, ignoring the earlier NCR that was issued and initiation of investigation is in abuse of process of law. Hence, the criminal proceedings initiated against the petitioner is liability quashed.

12. In view of the above, I answer the above point in the 'Affirmative' and proceed to pass the following:

ORDER

- i) The petition is ***allowed***.
- ii) The criminal proceedings initiated against the petitioner - CC.No.10494/2022 pending on the file of the learned II Additional Chief Metropolitan Magistrate, Bengaluru (Crime No.181/2021 of Channammanakere Achu Kattu Police Station) registered for the



**NC: 2026:KHC:10155
CRL.P No. 6805 of 2022**

offences punishable under Sections 341, 427,
504 and 506 of Indian Penal Code, is hereby
quashed.

**Sd/-
(M G UMA)
JUDGE**

PNV

CT:VS

List No.: 1 Sl No.: 7