



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF MAY, 2025

BEFORE

THE HON'BLE MR JUSTICE SURAJ GOVINDARAJ

CRIMINAL PETITION NO. 7476 OF 2025

BETWEEN:

SRI. SOMARAPU VAMASHI,
S/O SOMARAPUR SUDHAKAR,
AGED ABOUT 22 YEARS,
R/AT FLAT NO.001,
OM SHAKTI RESIDENCY,
4TH CROSS ROAD, KEMPAPURA, BELLANDUR,
BENGALURU – 560 037.

ALSO AT:

11-3-138, NEHRU NAGAR,
REVATHI CENTER
KHAMMAM(URBAN),
TELANGANA-507001.

...PETITIONER

(BY SRI. KULKARNI RAMESH PAMPAJI., ADVOCATE)

AND:

STATE OF KARNATAKA,
REPRESENTED BY
BELLANDURU POLICE STATION,
REPRESENTED BY
STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA BUILDING,
BENGALURU – 560 001.

...RESPONDENT

(BY SMT. ANITHA GIRISH, HCGP)





THIS CRL.P. IS FILED U/S 482 OF CR.PC (FILED U/S 528 BNSS) TO QUASH THE FIR INITIATED BY THE RESPONDENT/ POLICE IN FIR NO.215/2025 THEREIN, FOR THE OFFENCE P/U/S 318(4) OF BNS 2023 PENDING BEFORE THE 41ST ADDL.C.M.M COURT NRUPATUNGA ROAD, BENGALURU AGAINST THE PETITIONER (ANNEXURE-B).

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

CORAM: HON'BLE MR JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. Learned High Court Government Pleader accepts notice for respondent-State.
2. The petitioner is before this Court seeking for the following reliefs:

"WHEREFORE, the petitioner prays that this Hon'ble may be pleased to:

i. Quash the F.I.R. initiated by the respondent/Police in FIR No.0215/2025 therein, for the offence punishable under Sec.318(4) of Bharatiya Nagarika Suraksha Sanhita, 2023, pending before the 41st Addl. C.M.M COURT, Nrupatunga Road, Bengaluru, against the petitioner;"

3. The FIR in 215/2025 has been registered by the Bellanduru Police Station on the allegation that the



petitioner had purchased tickets for the Indian Premier League to be held in the Chinnaswamy Stadium, Bengaluru for a sum of Rs.1200/- per ticket and sold ten of those tickets to certain others at Rs.6,000/- per ticket and on that basis an offence under Section 318(4) the Bharatiya Nyaya Sanhita, 2023 (for short, 'the BNS, 2023') is alleged against the petitioner.

4. The submission of learned counsel for the petitioner is that the petitioner had booked the tickets but due to certain unavoidable circumstances could not attend the said match and in that background he sold the tickets, there being no restriction for such sale or resale since the tickets are transferable.
5. In that regard, he relies upon the decision of the Hon'ble Punjab and Haryana High Court in **MANDEEP SINGH Vs. STATE OF U.T. CHANDIGARH AND ANOTHER** reported in **2015 SCC online P&H 13773** on particularly paragraph-15 thereof which is reproduced hereunder:

"15. In India, there is no legal restriction against reselling match tickets. There is a restriction for transfer of some train tickets but not all of them and



are non-transferable. It is not the case here that the tickets were fake. It is not the case of the prosecution that the tickets were not transferable."

6. Relying on Mandeep Singh's case, the submission of learned counsel for the petitioner is that there being no restriction on reselling match tickets there cannot be any offence which could be said to be made out under Section 318 of the BNS, 2023. Section 318 of the BNS, 2023 is reproduced herein for easy reference

"318. Cheating-(1) whoever, by deceiving any person, fraudulently or dishonestly induces the person so deceived to deliver any property to any person, or to consent that any person shall retain any property, or intentionally induces the person so deceived to do or omit to do anything which he would not do or omit if he were not so deceived, and which act or omission causes or is likely to cause damage or harm to that person in body, mind, reputation or property, is said to cheat."

7. This aspect has been considered by the Punjab and Harayana High Court with reference to Section 420 of the IPC in Mandeep Singh's case and the Punjab and Haryana High Court has come to a conclusion that proceedings cannot be allowed to go on as it would be an abuse of process of law.



8. The very same reasoning of the Punjab and Haryana High Court would be equally applicable to the present case since there is no restriction on the sale of the such tickets.
9. Accordingly, I pass the following:

ORDER

- i. Criminal petition is allowed.
- ii. The FIR in Crime No.215/2025 registered for offence under Section 318(4) of the BNS, 2023 on the file of the 41st Additional CMM Court, Nrupatunga Road, Bengaluru is hereby quashed.

SD/-
(SURAJ GOVINDARAJ)
JUDGE

RKA
List No.: 3 SI No.: 34