

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17<sup>TH</sup> DAY OF JUNE 2016

BEFORE

**THE HON'BLE MR.JUSTICE H.BILLAPPA**

CRIMINAL PETITION No.4181 OF 2015

BETWEEN:

N.HAREESH,  
# 4/2, 2<sup>ND</sup> CROSS,  
J.C.R.LAYOUT,  
PANATHUR,  
BENGALURU - 560 103.

...PETITIONER

(BY SRI.N.HAREESH, PARTY IN PERSON)

AND:

1. THE STATE OF KARNATAKA,  
THROUGH SENIOR INSPECTOR,  
HAL POLICE STATION.  
BENGALURU 560 037.

2. SMT.SHANTHAMMA,  
2<sup>ND</sup> CROSS, J.C.R.LAYOUT, PANATHUR,  
BENGALURU - 560 103.

...RESPONDENTS

(SRI.B.VISWESWARIAH, HCGP FOR R1;  
SRI.S.RAJ PRABHU, ADV. FOR R2)

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THIS CRL.P FILED U/S.482 CR.P.C BY THE PARTY-IN-  
PERSON PRAYING TO QUASH THE FIR WITH CR.No.361/2015  
DATED 11.5.2015 REGISTERED AT HAL POLICE STATION U/S  
354, 324, 506(B) OF IPC. FIR FILED IN 10TH A.C.M.M., MAYO

HAL, BENGALURU AND ADVISE HAL POLICE TO GIVE ME PROTECTION. NOT TO BOOK FALSE CASES. TAKE ACTION ON GUANINE CASES.

THIS CRL.PETITION COMING ON FOR ADMISSION THIS DAY, THE COURT MADE THE FOLLOWING:

**ORDER**

The petitioner has filed this petition praying to quash the proceedings in Cr.No.361/15 of HAL Police Station, Bengaluru.

2. Based on the complaint of second respondent, a case in Cr.No.361/15 of HAL police station has been registered against the petitioner for the offences punishable under Secs.354, 324, 506(B) of IPC. The proceedings are now pending on the file of X ACMM, Bengaluru in C.C.No.54698/2015.

3. The petitioner who is party-in-person submitted that a false complaint has been lodged by the second respondent. No such incident has taken place. The petitioner had lodged the complaint against second

respondent to the Commissioner of Police alleging murder of one Suresh. As a counter-blast a false complaint has been lodged against him. Further he submitted that the proceedings in Cr.No.361/15 of HAL Police Station, Bengaluru may be quashed.

4. As against this, the learned Govt. Pleader submitted that after investigation charge-sheet has been filed against the petitioner for the offences punishable under Sections 354, 323 and 504(B) of IPC. Now, the proceedings are pending on the file of X ACMM, Bengaluru in C.C. No.54698/2015. There are eye witnesses. Therefore, this is not a fit case to invoke Sec.482 of Cr.P.C..

5. I have carefully considered the submissions made by the petitioner who is party-in-person and also the learned Govt. Pleader and perused the records submitted by the learned Govt. Pleader.

6. The second respondent has lodged a complaint against the petitioner alleging that the petitioner is her neighbour. The petitioner tried to put up concrete mould on the first floor without leaving proper set back. When the complaint objected, the petitioner abused her, pulled her and started kicking. It is also alleged, that the petitioner assaulted second respondent with iron rod and threatened her saying that he would kill her. Based on the complaint of second respondent, a case in Cr.No.361/2015 of HAL Police Station, Bengaluru, has been registered. After investigation charge-sheet has been filed against the petitioner. Now, the proceedings are pending on the file of X ACMM, Bengaluru, in C.C.No.54698/2015.

7. The charge-sheet shows that there are eye witnesses. It is alleged, the petitioner abused, assaulted and threatened the complainant with dire consequences. If the petitioner has any defence or valid ground, it can be urged

before the trial court itself. This is not a fit case to invoke Sec.482 of Cr.P.C.

Accordingly, the criminal petition is dismissed.

**Sd/-  
JUDGE**

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