

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU****DATED THIS THE 7<sup>TH</sup> DAY OF FEBRUARY, 2025****BEFORE****THE HON'BLE MR JUSTICE S.R.KRISHNA KUMAR****CRIMINAL PETITION NO. 9786 OF 2024 (482(Cr.PC) / 528(BNSS))****BETWEEN:**

1. MR CHAKRAPANI MUPPALA  
S/O MUPPALLA UDAYA BHASKARA RAO,  
AGED ABOUT 40 YEARS,  
RESIDING AT NO. 1-40, KAKULAPADU,  
BAPULAPADU, KRISHNA,  
ANDHRA PRADESH - 521106.
2. MRS. RAMYAKRISHNA V.,  
W/O MR. CHAKRAPANI MUPPALA,  
AGED ABOUT 35 YEARS,  
RESIDING AT NO. 1-40, KAKULAPADU,  
BAPULAPADU, KRISHNA,  
ANDHRA PADESH - 521106.
3. MR BEERAPPA K.,  
S/O KURIBEERA HEGADE,  
AGED ABOUT 36 YEARS,  
RESIDING AT NO. 2543, GOWRI NILAYA,  
1<sup>ST</sup> MAIN, 1<sup>ST</sup> A CROSS, KOGILU ROAD,  
MARUTHINAGAR, YELAHANKA,  
BENGALURU - 560 064.
4. M/S IGNITING MINDS AEROSPACE PVT. LTD.,  
A COMPANY REGISTERED UNDER  
THE COMPANIES ACT, 2013,  
REGISTERED OFFICE AT SITE NO.46/47/48/49,  
SRI RAGHAVENDRA INDUSTRIAL ESTATE,  
THIGALARAPALYA MAIN ROAD,  
NEAR PEENYA 2<sup>ND</sup> STAGE,  
BENGALURU - 560 058.

...PETITIONERS

(BY SRI. ABHILASH RAJU, ADVOCATE)





**AND:**

MR. SATISH AVANI NAGARAJASASTRY,  
SON OF NAGARAJASASTRY A. N.,  
AGED ABOUT 50 YEARS,  
RESIDING AT NO. 95, 8<sup>TH</sup> CROSS ROAD,  
6<sup>TH</sup> BLOCK, 2<sup>ND</sup> STAGE,  
NEAR BDA COMPLEX, NAGARBHAVI,  
BANGALORE - 560072.  
EMAIL. SATISH AN@YAHOO.COM

...RESPONDENT

(BY SRI. NUMAN JHABAKH, ADVOCATE FOR  
SRI. VIVEK HOLLA, ADVOCATES)

THIS CRIMINAL PETITION IS FILED UNDER SECTION 482  
CR.P.C PRAYING TO QUASH THE COMPLAINT AND FURTHER  
PROCEEDINGS IN CRIMINAL CASE REGISTERED AGAINST THE  
PETITIONERS IN CC NO. 60668 OF 2023 AND FOR THE ALLEGED  
OFFENCE UNDER SECTION 138 OF NEGOTIABLE INSTRUMENTS  
ACT, 1881 IN THE COURT OF XXXIV ACMM, BANGALORE.

THIS PETITION, COMING ON FOR *REPORTING SETTLEMENT*,  
THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR JUSTICE S.R.KRISHNA KUMAR

**ORAL ORDER**

In this petition, petitioner seeks quashing of the impugned  
proceedings in C.C.No.60668/2023 filed by the respondent-  
complainant on the file of the XXXIV ACMM, Bengaluru for the  
offences punishable under Section 138 of NI Act.

2. Heard learned counsel for the petitioner, learned  
counsel for the respondent and perused the material on record.



3. A perusal of the material on record comprising private complaint, which is now pending on the file of XXXIV ACMM, Bengaluru will indicate that petitioner No.1/accused No.1 and petitioner No.3/accused No.3 are the Directors of petitioner No.4 – Company. It is an undisputed fact and matter of record that petitioner No.2/accused No.2 is none other than wife of petitioner No.1/accused No.1 and she is not a Director of petitioner No.4 – Company.

4. Under these circumstances, though several contentions have been urged by both sides in support of their respective claims, on the short/sole ground that the petitioner No.2/accused No.2 is not a Director of petitioner No.4 – Company and in the light of Section 141 of Negotiable Instruments Act, 1881 which mandates that only Company and its Directors can be arraigned as accused persons, without expressing any opinion on the merits / de-merits of the rival contentions, I deem it just and appropriate to partly allow the petition and quash the impugned proceedings only insofar as petitioner No.2/accused No.2 is concerned.

5. In the result, I pass the following



ORDER

- i) The petition is hereby partly allowed.
- ii) The complaint and further proceedings in criminal case in C.C.No.60668/2023 on the file of the XXXIV ACMM, Bengaluru, are hereby quashed insofar as petitioner No.2/accused No.2 is concerned.
- iii) The Trial Court is directed to proceed further insofar as petitioner Nos.1, 3 and 4/accused Nos.1, 3 and 4 are concerned and dispose of the proceedings in accordance with law.
- iv) All rival contentions on all aspects of the matter are kept open and no opinion is expressed on the same.

**Sd/-  
(S.R.KRISHNA KUMAR)  
JUDGE**

MDS  
List No.: 3 Sl No.: 7