HC-KAR

NC: 2025:KHC-K:3726
CRL.P No. 201427 of 2024
C/W CRL.P No. 200542 of 2024

**IN THE HIGH COURT OF KARNATAKA,**

**KALABURAGI BENCH**

**DATED THIS THE 8TH DAY OF JULY, 2025**

**BEFORE**

**THE HON'BLE MR. JUSTICE V SRISHANANDA**

**CRIMINAL PETITION NO. 201427 OF 2024**

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

**C/W**

**CRIMINAL PETITION NO. 200542 OF 2024**

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

**IN CRL.P.NO.201427/2024:**

**BETWEEN:**

1. SRI RAMESH @ S. RAMESH
   S/O SAL RAMAPPA @ RAMANNA,
   AGED ABOUT 53 YEARS, OCC: AGRICULTURE,

2. SRI RAM @ RAMANNA S/O YANKAPPA,
   AGED ABOUT 35 YEARS, OCC: AGRICULTURE,

3. SRI TIMMAPPA S/O RAMAPPA,
   AGED ABOUT 40 YEARS, OCC: AGRICULTURE,

4. SRI RAHIM NAYAK S/O RAMAPPA,
   AGED ABOUT 46 YEARS, OCC: AGRICULTURE,

5. SRI YANKA @ YANKAPPA S/O IRANNA,
   AGED ABOUT 35 YEARS, OCC: AGRICULTURE,

6. SRI YANKOB S/O SAL HANUMANT,
   AGED ABOUT 55 YEARS, OCC: AGRICULTURE,

7. SRI SAL HANUMAYYA

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Location: HIGH COURT OF KARNATAKA

S/O RANGANNA @ RANGAPPA,
AGED ABOUT 70 YEARS, OCC: AGRICULTURE,

8. SRI HULIGEYYA S/O MOOKAYYA,
AGED ABOUT 29 YEARS, OCC: AGRICULTURE,

9. SRI ERESH S/O MANASAYYA,
AGED ABOUT 45 YEARS, OCC: AGRICULTURE,

10. SRI HUSENI @ HUSENAPPA
S/O GOVINDAYYA @ GOVINDAPPA,
AGED ABOUT 35 YEARS, OCC: AGRICULTURE,

11. SMT. LAXMI W/O MOOKAYYA @ YANKOBA,
AGED ABOUT 42 YEARS, OCC: HOUSEHOLD,

12. SRI HAMPAYYA S/O SAL HANUMAYYA
@ SANNA HANUMANT,
AGED ABOUT 48 YEARS, OCC: AGRICULTURE,

13. SRI TIMMA @ TIMMAREDDY,
S/O SAL RAMANNA,
AGED ABOUT 28 YEARS, OCC: AGRICULTURE,

14. SRI MOOKAYYA @ YANKOBA
S/O BASSAYYA @ KARIYAPPA,
AGED ABOUT 55 YEARS, OCC: AGRICULTURE,

PETITIONER NO.1 TO 14 ARE,
R/O. SANGAPUR VILLAGE,
TQ. MANVI, DIST. RAICHUR-584 123.

15. SRI BASAV @ BASAVARAJ
S/O YANKAPPA,
AGED ABOUT 36 YEARS, OCC: AGRICULTURE,
R/O. MALLIN MADUGU, TQ. MANVI,
DIST. RAICHUR-584 123.

16. AMARESH S/O DEVINDRAPPA,
AGED ABOUT 37 YEARS, OCC: AGRICULTURE,
R/O. JANEKAL, TQ. MANVI,

DIST. RAICHUR-584 123.

…PETITIONERS

(BY SRI. ARUNKUMAR AMARGUNDAPPA, ADVOCATE)

**AND:**

1. THE STATE OF KARNATAKA,
   THROUGH SHO., MANVI POLICE STATION,
   REPRESENTED BY ADDL. SPP,
   HIGH COURT OF KARNATAKA,
   KALABURAGI BENCH,
   KALABURAGI-585 103.

2. SRI AMARESH S/O YANKOB NAYAK AALDAL,
   AGED ABOUT 35 YEARS, OCC: AGRICULTURE,
   R/O. SANGAPUR VILLAGE, TQ. MANVI,
   DIST. RAICHUR-584 123.

…RESPONDENTS

(BY SMT. ARATI PATIL ,HCGP FOR R1;
SRI. P.S. MALIPATIL, ADVOCATE FOR R2)

THIS CRL.P IS FILED U/S. 528 OF BNSS,2023 PRAYING TO ALLOW THE PETITION AND FURTHER QUASH THE CHARGE SHEET AND ENTIRE PROCEEDINGS IN C.C.NO.169/2024, ON THE FILE OF CIVIL JUDGE AND JMFC MANVI, REGISTERED AGAINST THE PETITIONERS/ ACCUSED NO.1 TO 8 AND 10 TO 17 FOR THE COMMISSION OF ALLEGED OFFENCES PUNISHABLE U/SEC. 143, 147, 341, 447, 323, 504, 506 R/W 149 OF IPC IN CRIME NO. 234/23 MANVI PS RAICHUR DIST.

**IN CRL.P.NO. 200542/2024:**

**BETWEEN:**

1. SRI AMARESH S/O VENKOBA ALDAL,
   AGED ABOUT 35 YEARS, OCC: AGRICULTURE,
   R/O. SANGAPUR VILLAGE, MANVI TQ.,
   DIST. RAICHUR-584123.

2. SMT. PADMAMMA W/O SAL KARIYAPPA,
AGED ABOUT 64 YEARS, OCC: HOUSEHOLD,
R/O. SANGAPUR VILLAGE, MANVI TQ.,
RAICHUR DIST.-584 123.

3. SRI VENKOBA S/O THIMMANNA ALDAL,
AGED ABOUT 60 YEARS,
OCC: AGRICULTURE,
R/O. SANGAPUR VILLAGE, MANVI TQ.,
RAICHUR DIST.-584 123.

4. SMT. HAMPAMMA W/O VENKOBA,
AGED ABOUT 53 YEARS,
OCC: HOUSEHOLD,
R/O. SANGAPUR VILLAGE, MANVI TQ.,
RAICHUR DIST.-584 123.

5. SMT. SARASWATHI W/O AMARESH,
AGED ABOUT 32 YEARS,
OCC: HOUSEHOLD,
R/O. SANGAPUR VILLAGE, MANVI TQ.,
RAICHUR DIST.-584 123.

6. SRI MAHESH S/O VENKOBA,
AGED ABOUT 28 YEARS,
OCC: AGRICULTURE,
R/O. SANGAPUR VILLAGE, MANVI TQ.,
RAICHUR DIST.-584 123.

7. SRI RAMA @ RAMESH S/O VENKOBA,
AGED ABOUT 25 YEARS,
OCC: AGRICULTURE,
R/O. SANGAPUR VILLAGE, MANVI TQ.,
RAICHUR DIST.-584 123.

8. SRI NAGARAJ S/O RAMAIAH,
AGED ABOUT 45 YEARS,
OCC: AGRICULTURE,
R/O. BAGALAWADA VILLAGE,
MANVI TQ.,

RAICHUR DIST.-584 120.

9. SRI VENKOBA S/O MOUNESH,
AGED ABOUT 38 YEARS,
OCC: AGRICULTURE,
R/O. SANGAPUR VILLAGE, MANVI TQ.,
RAICHUR DIST.-584 123.

10. SRI YELLALINGA @ YALLAPPA S/O MOUNESH,
AGED ABOUT 30 YEARS,
OCC: AGRICULTURE,
R/O. AMARAVATHI, MANVI TQ.,
RAICHUR DIST.-584 123.

11. SRI CHANDRU @ CHANDRASHEKHAR
S/O EARANNA,
AGED ABOUT 27 YEARS,
OCC: AGRICULTURE,
R/O. BAGALAWADA VILLAGE, MANVI TQ.,
RAICHUR DIST.-584 120.

12. SRI KASHINATH S/O EARANNA,
AGED ABOUT 30 YEARS,
OCC: AGRICULTURE,
R/O. BAGALAWADA VILLAGE, MANVI TQ.,
RAICHUR DIST.584 120.

13. SRI RAMESH S/O EARANNA,
AGED ABOUT 28 YEARS,
OCC: AGRICULTURE,
R/O. BAGALAWADA VILLAGE, MANVI TQ.,
RAICHUR DIST.584 120.

14. SRI ANJINEYYA S/O HANUMANTHAPPA,
AGED ABOUT 50 YEARS,
OCC: AGRICULTURE,
R/O. GAVIGAT VILLAGE, MANVI TQ.,
RAICHUR DIST.584 123.

…PETITIONERS

(BY SRI. P. S. MALIPATIL, ADVOCATE)

**AND:**

1. STATE OF KARNATAKA,
   MANVI POLICE STATION,
   TQ. MANVI, DIST. RAICHUR-584 123,
   REPT. BY ADDL. STATE PUBLIC PROSECUTOR,
   KALABURAGI-585107.

2. SMT. LAKSHMI
   W/O VENKOBA @ MUKAIAH,
   AGED ABOUT 48 YEARS,
   R/O. SANGAPUR VILLAGE, MANVI TQ.,
   DIST. RAICHUR-584123.

…RESPONDENTS

(BY SMT. ARATI PATIL ,HCGP FOR R1;
SRI. ARUNKUMAR AMARGUNDAPPA ,ADVOCATE FOR R2)

THIS CRL.P IS FILED U/S.482 OF CR.P.C. PRAYING TO ALLOW THE CRIMINAL PETITION AND SET ASIDE THE PROCEEDINGS / CHARGE SHEET DTD. 13.01.2024 FILED IN C.C.NO.154/2024 ON THE FILE OF CIVIL JUDGE AND JMFC, MANVI FOR THE CRIME NO.0238/2023 MANVI PS. OFFENCE PUNISHABLE U/SECS. 143, 147, 341, 323, 354, 504, 506 R/W SEC. 149 OF IPC AND DISMISS THE COMPLAINT FILED BY THE RESPONDENT NO.2 AGAINST THE PETITIONERS,

THESE PETITIONS, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE V SRISHANANDA

**ORAL ORDER**

(PER: HON'BLE MR. JUSTICE V SRISHANANDA)

1. Office objections are over ruled.

2. Parties are present before the Court.

3. There is no possibility of amicable settlement in view of the fact that, the petitioners in Criminal Petition No.200542/2024 did not agree for withdrawing his complaint filed against the petitioners in Criminal Petition No.201427/2024.

4. Under such circumstances, since both the cases arising out of a case and a counter case, there cannot be quashing of the pending criminal cases in respect of any one of the parties.

5. The view of this Court is supported by the Full Bench Judgment of the Hon'ble High Court of Karnataka in the case of ***State of Karnataka, Circle Inspector of Police Vs. Hosakeri Ningappa and another***, reported in ***ILR 2012 Kar. 509.***

6. As such, both the petitions are dismissed.

7. At this juncture, Sri. Arunkumar Amargundappa, learned counsel would submit that, the trial Judge has not

followed the principles of law enunciated in the case of ***Hosakeri Ningappa*** supra, in respect of a case and a counter case.

8. It is made clear that, the trial Court is bound to follow the directions issued in ***Hosakeri Ningappa*** case, supra and proceed with the case in accordance with law.

9. If any violation is there, the petitioners in Criminal Petition No.201427/2024 are at liberty to bring the same to the notice of the trial Judge as to the principles of law enunciated in ***Hosakeri Ningappa*** case has been violated and seek appropriate remedy.

10. Accordingly, the following order:

**ORDER**

Petitions are ***dismissed.***

**Sd/-**
**(V SRISHANANDA)**
**JUDGE**

SVH
List No.: 1 Sl No.: 3
CT:PK