



CNR: KAHC010199252026

NC: 2026:KHC:50353
CRL.P No. 4343 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 16TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR

CRIMINAL PETITION NO. 4343 OF 2026 (482(Cr.PC) / 528(BNSS))

BETWEEN:

1.

2.

Digitally
signed by
VANDANA S
Location:
High Court
of Karnataka

...PETITIONERS

(BY SRI. ANKUR TRIPATHI, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
BY SADASHIVANAGAR POLICE STATION
C. V. RAMAN ROAD,
NEAR BEL ROAD JUNCTION
OPP. CPRI, BENGALURU - 560012
REP BY SPP.
HIGH COURT BUILDING.
BANGALORE 560 001.

2.



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...RESPONDENTS

(BY SMT. DEEPTHI ALVA, HCGP FOR R-1
R-2 SERVED)

THIS CRL.P IS FILED U/S 482 CR.P.C (U/S 528 BNSS) BY PRAYING TO QUASH THE IMPUGNED FIR, COMPLAINT AND CHARGE SHEET (ANNEXURE A, B, C) AND THE ENTIRE PROCEEDINGS IN CC.NO.1060/2024, PENDING BEFORE THE LEARNED 1st ACJM, AT BENGALURU, ARISING OUT OF CR.NO.203/2023 REGISTERED BY RESPONDENT NO.1 IN SADASHIVANAGAR P.S., FOR THE OFFENCE P/U/S 509 OF IPC, 1860.

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

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

ORAL ORDER

This petition by accused Nos. 1 and 2 in C.C.No.1060/2024 arising out of Crime No.203/2023 dated 09.08.2023 seeks quashing of the impugned proceedings initiated against the petitioners for an offence punishable under Section 509 IPC.

2. Heard learned counsel for the petitioner and learned HCGP for the 1st respondent and perused the material on record. The 2nd respondent – *de facto* complainant having been served



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with the notice of the petition has chosen to remain unrepresented and has not contested the petition.

3. A perusal of the material on record will indicate that on 09.08.2023, 2nd respondent – *de facto* complainant filed a complaint before the 1st respondent – police authorities making allegations against the petitioners and one (accused No.3), in pursuance of which, an FIR in Crime No.203/2023 was registered against the petitioners – accused Nos. 1 and 2 and accused No.3 for offences punishable under Section 509 IPC. After investigation, the 1st respondent – police authorities filed a charge sheet before the trial court, which instituted the impugned proceedings against the petitioner and accused No.3 and as such, the petitioners are before this Court by way of the present petition.

4. Before advertng to the rival contentions, it would be necessary to extract Section 509 of IPC, which reads as under:-

509. Word, gesture or act intended to insult the modesty of a woman.—

Whoever, intending to insult the modesty of any woman, utters any word, makes any sound or gesture, or exhibits any object, intending that such word or sound shall



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be heard, or that such gesture or object shall be seen, by such woman, or intrudes upon the privacy of such woman, shall be punished with simple imprisonment for a term which may extend to three years, and also with fine.

5. The compliant dated 09.08.2023 lodged by the 2nd respondent is as under:-

“ To,

*Police Inspector
Sadashiv Nagar Police Station
Bengaluru Urban – 560 094.*

From,

Subject: One boy & 2 Girls- Boy Shaming/verbal abuse.

We would like to inform you the incident that occurred on 8/8/2023 at around 10:43 pm on New Bel Road, in front of Zivame/Below Chapter one.

These unidentified individual 2 girls and one boy around the age of 21-23, instigated the name calling which included fat-shaming , Body Shaming, Rascist words and vulgar words that caused us mental trauma and stress along with my friends this did not stop only here, the Boy along with these girls (under the influence of alcohol) started abusing us and even taught the girls to yell the same thing louder.



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We spotted the car number which is

*Me and my friend maitri hiremath had to go through
severe trauma and has caused us deep pain.*

*We Request you to take all the actions accordingly to
the Law Justice.*

Thanking Your,

Your's Sincerely

6. As stated supra, during the course of investigation, the 1st respondent – police authorities recorded the statement of the 2nd respondent as CW-1 and one alleged eyewitness as CW-2, while there were 4 mahazar witnesses as CWs 3 to 6 and the investigating officer as CW-7 and filed a charge sheet enclosing documents which contained a mahazar drawn subsequently on 01.09.2023. In this context, a perusal of the complaint, FIR, charge sheet material including the statements of the complainant and the witnesses is sufficient to come to the conclusion that the same do not disclose or contain the necessary ingredients constituting the



offence of Section 509 IPC as alleged by the respondents; it is also pertinent to note that having regard to the mandatory ingredients required to constitute an offence under Section 509 IPC, merely because the petitioners and accused No.3 are said to have body-shamed the complainant and insulted her about her physical appearance, it cannot be said that the material on record discloses the commission of the offence punishable under Section 509 IPC; further, the aforesaid accused No.3 – had earlier approached this Court in Crl.P.No.7232/2024 which was allowed by this Court vide final order dated 26.06.2024, whereby the impugned proceedings *qua* accused No.3 were quashed by this Court as hereunder:-

“ In this petition, petitioner seeks for the following reliefs:

a) Allow this Criminal Petition and quash the entire proceedings in C.C.No.1060/2024 and order dated 11.01.2024 on the file learned I ACMM Court, Nrupatunga Road, Bangalore City for the alleged offence under Section 509 of IPC including the FIR, Complaint and Chargesheet in Crime No.203/2023 registered by Respondent No.1 police.

b) Grant such other relief or reliefs as this Hon’ble Court may deem fit to grant, in the facts and circumstances of the case, in the interest of justice and equity.”



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2. *Heard learned counsel for the petitioner and learned HCGP for respondent No.1 and perused the material on record.*

3. *Though respondent No.2 is served with notice, he has remained unrepresented and has not chosen to contest the petition.*

4. *A perusal of the material on record will indicate that it is the case of the prosecution that on 08.08.2023 around 10.30 p.m., at New BEL Road below Chapter One Bar and Restaurant, three unknown persons are alleged to have called her fat and they have indulged in body shaming her, due to which, respondent No.2 suffered from mental trauma. Pursuant to the said incident, respondent No.1 registered the FIR in Crime No.203/2023, which is currently pending in CC No.1060/2024 before the I Additional Chief Metropolitan Magistrate Court, Nrupatunga Road, Bengaluru City for the offences punishable under Section 509 of IPC. Aggrieved by the same, the petitioner is before this Court by way of the present petition.*

5. *A perusal of the material on record comprising of the complaint, FIR, charge sheet material, statement of witness, documents and etc., will clearly indicate that the same do not disclose the commission of the alleged offences. Under these circumstances, I am of the considered view that continuation of the impugned proceedings would amount to abuse of process of law warranting interference of this Court in the present petition.*

5. *Accordingly, I proceed to pass the following:*



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ORDER

- i) *The petition is hereby **allowed**.*
- ii) *The impugned proceedings in
C.C.No.1060/2024 arising out of Crime
No.203/2023 on the file of I Additional Chief
Metropolitan Magistrate Court, Nrupatunga
Road, Bengaluru City, insofar as the petitioner
is concerned are hereby quashed.”*

7. It is a matter of record and an undisputed fact that the allegations made against the aforesaid accused No.3 as well as the petitioners – accused Nos.1 and 2 are identical, similar and common in relation to the very same incident and consequently, apart from the fact that the material on record does not disclose the commission of an offence under Section 509 IPC by the petitioners, I am of the considered opinion that it would be just and proper to invoke / apply the doctrine of parity and quash the impugned proceedings insofar as the petitioners – accused Nos. 1 and 2 also.

8. In the result, I pass the following:-

ORDER

- (i) Petition is hereby allowed.
- (ii) The proceedings in C.C.No.1060/2024 arising out of FIR in Crime No.203/2023 registered by the 1st respondent –



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Police, pending on the file of I ACJM, Bangalore, for an offence punishable under Section 509 of IPC insofar as the petitioners – accused Nos. 1 and 2 are concerned are hereby quashed.

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

SV/SRL
List No.: 1 Sl No.: 15