



CNR: KAHC010376842025

NC: 2026:KHC:56473
CRL.P No. 8032 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 8TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

CRIMINAL PETITION NO. 8032 OF 2025 (482(Cr.PC)

/ 528(BNSS)-)

BETWEEN:

1. ABDUL SAMAD
S/O. IBRAHIM V.M
AGED ABOUT 35 YEARS,
R/OF. NO 244/D, MEGINAPETE HOUSE,
VITLA KASBA, BANTWALA TALUK
D.K-574244
2. SULAIMAN
S/O. IBRAHIM,
AGED ABOUT 49 YEARS,
R/O. 5-557, OKKETHUR MOOLE HOUSE,
VITTAL KASABA, VITLA POST,
BANTWALA TALUK,
DK-574244.

...PETITIONERS

(BY SRI. ABDUL ANSAR P.,ADVOCATE)



AND:

STATE BY VITLA POLICE STATION
DAKSHINA KANNADA DISTRICT,
REP BY STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA BUILDING,
BENGALURU -01

...RESPONDENT

(BY SMT. RASHMI PATLE., HCGP)

THIS CRIMINAL PETITION IS FILED U/S 482 CR.PC (FILED U/S
528 BNSS) PRAYING TO QUASH THE FIR AND COMPLAINT

Digitally Signed By:
SURAJ GOVINDA RAJ
13/10/2026, 17:27, Bengaluru
Verified



CNR: KAHC010376842025

NC: 2026:KHC:56473
CRL.P No. 8032 of 2025

REGISTERED AGAINST THE PETITIONERS IN CR.NO.73/2025 BY RESPONDENT VITAL POLICE STATION FOR THE OFFENCES P/U/S 189(2), 189(3), 191(2), 126(2), PENDING IN THE FILE OF THE HONBLE ADDL. CIVIL JUDGE (JR.DN) AND JMFC AT BANTWALA.

THIS CRIMINAL PETITION, COMING ON FOR FINAL HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. The petitioners are before this Court seeking for the following reliefs;

"Quash the FIR and complaint registered against the petitioners in Cr.No.73/2025 by respondent vital police station for the offences p/u/s 189(2), 189(3), 191(2), 126(2), pending in the file of the Hon'ble Addl. Civil Judge (Jr.Dn) and JMFC at Bantwala.

2. Respondent lodged a complaint on 02.06.2025, on the basis of which Crime No.73/2025 was registered by Vitla Police Station for offences punishable under Sections 189(2), 189(3), 191(2), 126(2) and 190 of the Bharatiya Nyaya Sanhita, 2023. The allegation is that the petitioners, along with others, blocked the highway and prevented vehicles from passing through.
3. Sri Abdul Ansar, learned counsel for the petitioners, submits that, as stated in the complaint itself, a fatal

Digitally Signed By:
SURAJ GOVINDA RAJ
13/10/2026, 17:27, Bengaluru
Verified



CNR: KAHC010376842025

accident had occurred at the same location a day earlier. The petitioners and other villagers had gathered to protest against the accident and draw the attention of the authorities to the need for appropriate safety measures. He contends that the gathering was a spontaneous response to the fatal accident and was not motivated by any intention to commit an offence. Their participation in the protest, therefore, cannot, by itself, justify the invocation of the penal provisions against them.

4. On being asked whether the incident involved any damage to public property or vehicles plying on the highway, Smt. Rashmi Patel, learned High Court Government Pleader, submits that no specific complaint of such damage has been made.
5. Having heard learned counsel for the parties and perused the complaint, it is apparent that the gathering took place in response to a fatal accident that had occurred at the same location the previous day. The immediate context of the gathering is, therefore, relevant in assessing the nature of the petitioners' conduct and whether the allegations

Digitally Signed By:
SURAJ GOVINDA RAJ
13/10/2026, 17:27, Bengaluru
Verified



CNR: KAHC010376842025

warrant the continuation of criminal proceedings against them.

6. The fact that the protest was prompted by a fatal accident does not, by itself, justify blocking a public highway. A highway is meant for the movement of the public, and preventing vehicles from passing can cause considerable inconvenience and may also affect public safety. The grievance of the villagers could have been brought to the attention of the authorities through other means. The Court does not approve of the method adopted by the protesters.
7. However, the impropriety of the method adopted does not, by itself, establish that every person present at the gathering committed the offences alleged. The complaint must be considered as a whole, having regard to the conduct attributed to the petitioners, the circumstances in which the gathering took place and the material relied upon to attract the invoked provisions. Mere participation in a protest cannot automatically be equated with participation in every offence alleged in connection with it.
8. In the present case, the complaint, as placed before this Court, attributes to the petitioners participation



CNR: KAHC010376842025

NC: 2026:KHC:56473
CRL.P No. 8032 of 2025

in blocking the highway following the fatal accident. The material referred to by the parties does not disclose any specific allegation of damage to public property or vehicles. More importantly, the gathering is stated to have been organised to express the villagers' concern over the fatal accident and to secure the attention of the authorities. The circumstances disclosed do not, without more, justify treating the petitioners' participation as criminal conduct warranting prosecution under all the provisions invoked.

9. The Court is conscious that public inconvenience cannot be disregarded merely because an assembly is prompted by a genuine grievance. At the same time, the criminal law must be applied with due regard to the actual allegations and the circumstances in which the alleged conduct occurred. On the material placed before this Court, the continuation of criminal proceedings against the petitioners would be unwarranted. This conclusion is confined to the allegations and circumstances disclosed in the present case and does not amount to approval of blocking a public highway as a form of protest.

Digitally Signed By:
SURAJ GOVINDA RAJ
13/10/2026, 17:27, Bengaluru
Verified



CNR: KAHC010376842025

NC: 2026:KHC:56473
CRL.P No. 8032 of 2025

10. Accordingly, the petition deserves to be allowed, and the proceedings in Crime No.73/2025 registered by Vitla Police Station against the petitioners for the offences punishable under Sections 189(2), 189(3), 191(2), 126(2) and 190 of the Bharatiya Nyaya Sanhita, 2023, are liable to be quashed.
11. As such, this Court passes the following:

ORDER

- i) Criminal petition is ***allowed.***
- ii) FIR in Crime No.73/2025 by Vitla Police Station for the offences under Section 189(2), 189(3), 191(2) and 126(2) pending on the file of the Additional Civil Judge (Jr.Dn.) and JMFC., Bantwala, D.K., is quashed.

Digitally Signed By:
SURAJ GOVINDA RAJ
13/10/2026, 17:27, Bengaluru
Verified

(SURAJ GOVINDARAJ)
JUDGE

PRS
List No.: 1 Sl No.: 28