

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 1ST DAY OF JUNE, 2022

BEFORE

THE HON'BLE MR. JUSTICE HEMANT CHANDANGOUDAR

WRIT PETITION NO.53199/2016 C/W
WRIT PETITION NOS.53095/2016, 53212/2016, 53223/2016,
53234/2016 (GM-RES)

IN WRIT PETITION NO.53199/2016:

BETWEEN:

SHRI SUDHIR ANGUR
S/O. LATE GUDDAPPA ANGUR,
AGED 53 YEARS,
CHANCELLOR, ALLIANCE UNIVERSITY,
CHIKKA HAGADE,
ANEKAL CHANDAPURA ROAD,
ANEKAL-80.

...PETITIONER

(BY SRI J.S. PATIL, SENIOR COUNSEL FOR
SMT. VANDANA P.L., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA BY THE
ADDITIONAL CHIEF SECRETARY TO THE GOVERNMENT,
DEPARTMENT OF HOME AFFAIRS,
VIDHANA SOUDHA,
BANGALORE-560 001.
2. THE STATE OF KARNATAKA BY THE
PRINCIPAL SECRETARY TO THE GOVERNMENT,

DEPARTMENT OF HOME AFFAIRS,
VIDHANA SOUDHA, BANGALORE-560 001.

3. THE STATE OF KARNATAKA BY
THE DIRECTOR GENERAL OF POLICE FOR
THE STATE OF KARNATAKA,
OFFICE OF DGP, NRUPATHUNGA ROAD,
BANGALORE-560 002.
4. THE STATE OF KARNATAKA BY
THE INSPECTOR GENERAL OF POLICE
CENTRAL RANGE,
OFFICE OF IGP-CENTRAL RANGE,
CHANDRIKA HOTEL CIRCLE,
VASANTH NAGAR,
BANGALORE-560 003.
5. THE STATE OF KARNATAKA BY
THE SUPERINTENDENT OF POLICE,
BANGALORE RURAL DISTRICT,
OFFICE OF SP, CHANDRIKA HOTEL CIRCLE,
VASANTH NAGAR,
BANGALORE-560 003.
6. THE STATE OF KARNATAKA BY
ANEKAL POLICE STATION, ANEKAL,
REPRESENTED BY
THE CIRCLE INSPECTOR OF POLICE,
ANEKAL POLICE STATION,
ANEKAL-560 080.
7. MR. MADHUKAR ANGUR
S/O. GUDDAPPA ANGUR,
AGED 61 YEARS,
RESIDING AT NO.48A, 27TH MAIN,
1ST CROSS, BTM 1ST STAGE,
BANGALORE-560 068.

8. MR. NARAYANA
FATHER'S NAME NOT KNOWN,
OCCUPATION:ADDL. SUPERINTENDENT OF POLICE,
BANGALORE RURAL DISTRICT,
OFFICE OF DY.S.P,
C/O. OFFICE OF SP, CHANDRIKA HOTEL CIRCLE,
VASANTH NAGAR,
BANGALORE-560 080.
9. MR. MALATHESH
FATHERS' NAME NOT KNOWN,
OCCUPATION CIRCLE POLICE INSPECTOR,
ANEKAL POLICE STATION,
ANEKAL,
BANGALORE RURAL DISTRICT-560 080.
10. MR. S.K. UMESH
FATHERS' NAME NOT KNOWN,
OCCUPATION DY.SUPERINTENDENT OF POLICE,
BANGALORE RURAL DISTRICT,
OFFICE OF DY.S.P.,
C/O.OFFICE OF SP, CHANDRIKA HOTEL CIRCLE,
VASANTH NAGAR,
BANGALORE-560 003.
11. MR. VISHWANATH
CIRCLE POLICE INSPECTOR,
HEBBAGODI POLICE STATION,
HEBBAGODI, BANGALORE-560 080.
12. MR. MOHAN
CIRCLE POLICE INSPECTOR,
JIGANI POLICE STATION,
JIGANI ANEKAL TALUK,
BANGALORE-560 080.

...RESPONDENTS

(BY SRI H.C. SHIVARAMU, ADVOCATE FOR R-7;
SRI S. VISHWAMURTHY, HCGP FOR R-1 TO R-6;
R8, R9, R10, R11 AND R12 ARE SERVED)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF INDIAN CONSTITUTION READ WITH SECTION 482 OF CR.P.C., PRAYING TO QUASH THE COMPLAINT AND FIR IN CRIME NO.261/2016 OF RESPONDENT ANEKAL POLICE STATION DATED 29.9.2016 OF ANNEXURE-B REGISTERED AGAINST THE PETITIONERS FOR THE OFFENCES PUNISHABLE UNDER 506, 504, 149, 323, 147, 143, 324. 353 OF IPC.

IN WRIT PETITION NO.53095/2016:

BETWEEN:

1. SHRI GOVIND CHABBI
S/O SHRI B H CHABBI,
AGED 60 YEARS,
PRINCIPAL CARE TAKER OFFICER,
ALLIANCE UNIVERSITY,
CHIKKA HAGADE, ANEKAL CHANDAPURA ROAD,
ANEKAL-80.
2. SHRI SUDHEER ANGUR
AGED 53 YEARS,
CHANCELLOR, ALLIANCE UNIVERSITY,
CHIKKA HAGADE, ANEKAL CHANDAPURA ROAD,
ANEKAL-80.
3. SHRI ABHAY GOVIND CHEBBI
S/O SHRI G.B. CHEBBI,
AGED ABOUT 30 YEARS,
OCCUPATION:DIRECTOR,
M/S ALLIANCE BUSINESS SCHOOL,
NO.100, 34TH MAIN, 2ND CROSS,
DOLLARS SCHEME, BTM I STAGE,
BANGALORE-560 068.
4. SHRI PRAKASH BOODUR
S/O SHRI SIDDAPPA,
AGED 40 YEARS,

OCCUPATION: DIRECTOR,
M/S ALLIANCE BUSINESS SCHOOL,
NO.100, 34TH MAIN, 2ND CROSS,
DOLLARS SCHEME, BTM I STAGE,
BANGALORE-560 068,
SPONSORING ENTITY OF ALLIANCE UNIVERSITY.

5. SHRI MANJUNATHA
S/O SHRI RAMAIAH,
AGED 35 YEARS,
ADVOCATE AND LEGAL COUNSEL,
FOR M/S ALLIANCE UNIVERSITY,
C/O ALLIANCE UNIVERSITY,
CHIKKA HAGADE, ANEKAL CHANDAPURA ROAD,
ANEKAL-80.
6. SHRI VENKOB GUJJAL (GUJJAL)
S/O SHRI H GUJJAL,
AGED 50 YEARS,
CARE TAKER OFFICER,
ALLIANCE UNIVERSITY,
CHIKKA HAGADE, ANEKAL CHANDAPURA ROAD,
ANEKAL-80.
7. SHRI NANDAKUMAR
AGED 40 YEARS,
ADMN. OFFICER,
ALLIANCE UNIVERSITY,
CHIKKA HAGADE,
ANEKAL CHANDAPURA ROAD,
ANEKAL-80.
8. SMT. SHAILA CHEBBI
W/O SHRI G.B. CHEBBI,
AGED ABOUT 56 YEARS,
OCCUPATION: DIRECTOR,
M/S ALLIANCE BUSINESS SCHOOL,
NO.100, 34TH MAIN, 2ND CROSS,
DOLLARS SCHEME, BTM I STAGE,

BANGALORE-560 068
SOPNSORING ENTITY OF ALLIANCE UNIVERSITY.
...PETITIONERS

(BY SRI JAYAKUMAR S. PATIL, SENIOR COUNSEL FOR
SMT. VANDANA P.L., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA BY THE
ADDITIONAL CHIEF SECRETARY TO THE GOVERNMENT,
DEPARTMENT OF HOME AFFAIRS,
VIDHANA SOUDHA,
BANGALORE-560 001.
2. THE STATE OF KARNATAKA BY THE
PRINCIPAL SECRETARY TO THE GOVERNMENT,
DEPARTMENT OF HOME AFFAIRS,
VIDHANA SOUDHA, BANGALORE-560 001.
3. THE STATE OF KARNATAKA BY
THE DIRECTOR GENERAL OF POLICE FOR
THE STATE OF KARNATAKA,
OFFICE OF DGP, NRUPATHUNGA ROAD,
BANGALORE-560 002.
4. THE STATE OF KARNATAKA BY
THE INSPECTOR GENERAL OF POLICE
CENTRAL RANGE,
OFFICE OF IGP-CENTRAL RANGE,
CHANDRIKA HOTEL CIRCLE,
VASANTH NAGAR,
BANGALORE-560 003.
5. THE STATE OF KARNATAKA BY
THE SUPERINTENDENT OF POLICE,
BANGALORE RURAL DISTRICT,
OFFICE OF SP, CHANDRIKA HOTEL CIRCLE,
VASANTH NAGAR, BANGALORE-560 003.

6. THE STATE OF KARNATAKA BY
ANEKAL POLICE STATION, ANEKAL,
REPRESENTED BY
THE CIRCLE INSPECTOR OF POLICE,
ANEKAL POLICE STATION,
ANEKAL-560 080.
7. MR. LOKESH K B
FATHERS' NAME NOT KNOWN,
AGED MAJOR,
POLICE CONSTABLE NO.1639,
ANEKAL POLICE STATION,
ANEKAL-80.
8. MR. NARAYANA
FATHER'S NAME NOT KNOWN,
AGE MAJOR
OCCUPATION:ADDL. SUPERINTENDENT OF POLICE,
BANGALORE RURAL DISTRICT,
OFFICE OF DY.S.P,
C/O. OFFICE OF SP, CHANDRIKA HOTEL CIRCLE,
VASANTH NAGAR,
BANGALORE-560 002.
9. MR. MALATHESH
FATHERS' NAME NOT KNOWN,
AGE MAJOR,
OCCUPATION CIRCLE POLICE INSPECTOR,
ANEKAL POLICE STATION,
ANEKAL,
BANGALORE RURAL DISTRICT-560 080.
10. MR. S.K. UMESH
FATHERS' NAME NOT KNOWN,
AGE MAJOR,
OCCUPATION DY.SUPERINTENDENT OF POLICE,
BANGALORE RURAL DISTRICT,
OFFICE OF DY.S.P.,

C/O.OFFICE OF SP, CHANDRIKA HOTEL CIRCLE,
VASANTH NAGAR,
BANGALORE-560 002.

11. MR. VISHWANATH
CIRCLE POLICE INSPECTOR,
AGED MAJOR
HEBBAGODI POLICE STATION,
HEBBAGODI, BANGALORE-560 080.

12. MR. MOHAN
CIRCLE POLICE INSPECTOR,
JIGANI POLICE STATION,
JIGANI ANEKAL TALUK,
BANGALORE-560 079.

...RESPONDENTS

(BY SRI S. VISHWAMURTHY, HCGP FOR R-1 TO R-6;
R8, R9, R10, R11 AND R12 ARE SERVED)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF INDIAN CONSTITUTION OF INDIA READ WITH SECTION 482 OF CR.P.C., PRAYING TO QUASH THE COMPLAINT AND FIR IN CRIME NO.262/2016 OF RESPONDENT ANEKAL POLICE STATION DATED 29.9.2016 OF ANNEXURE-B REGISTERED AGAINST THE PETITIONERS FOR THE OFFENCES PUNISHABLE UNDER 506, 504, 149, 323, 147, 143, 324. 353 OF IPC.

IN WRIT PETITION NO.53212/2016:

BETWEEN:

1. SHRI SUDHIR ANGUR
AGED 53 YEARS,
CHANCELLOR, ALLIANCE UNIVERSITY,
CHIKKA HAGADE, ANEKAL CHANDAPURA ROAD,
ANEKAL-80.

2. SMT. SHAILA CHEBBI
W/O SHRI. G.B. CHEBBI,
AGED ABOUT 56 YEARS,
OCCUPATION: DIRECTOR,
M/S ALLIANCE BUSINESS SCHOOL,
NO.100, 34TH MAIN, 2ND CROSS,
DOLLARS SCHEME, BTM I STAGE,
BANGALORE 560 068.
SPONSORING ENTTY OF ALLIANCE UNIVERSITY.
3. SHRI ABHAY GOVIND CHEBBI
S/O SHRI. G.B. CHEBBI,
AGED ABOUT 30 YEARS
OCCUPATION: DIRECTOR,
M/S ALLIANCE BUSINESS SCHOOL,
NO.100, 34TH MAIN, 2ND CROSS,
DOLLARS SCHEME, BTM I STAGE,
BANGALORE-560 068.
4. SMT. MALA SRINIVASA GOUDA
W/O SHRI. SRINIVASA GOUDA,
AGED ABOUT 55 YEARS
OCCUPATION: DIRECTOR,
M/S ALLIANCE BUSINESS SCHOOL,
NO.100, 34TH MAIN, 2ND CROSS,
DOLLARS SCHEME, BTM I STAGE,
BANGALORE-560 068.
5. SMT. SUJATHA SANJEEV
D/O SHRI. SANJEEV
AGED 45 YEARS,
C/O NO.100, 34TH MAIN, 2ND CROSS,
DOLLARS SCHEME, BTM I STAGE,
BANGALORE-560 068.
6. SHRI. GOVIND CHEBBI
S/O SHRI CHEBBI
AGED 62 YEARS
PRINCIPAL CARETAKER,

ALLIANCE UNIVERSITY,
CHIKKA HEGADE,
ANEKAL CHANDAPURA ROAD,
ANEKAL-80.

7. SHRI. MADHUSUDHAN MISHRA
S/O SHRI. MISHRA
AGED 60 YEARS,
REGISTRAR (ADDL),
ALLIANCE UNIVERSITY,
CHIKKA HEGADE, ANEKAL CHANDAPURA ROAD,
ANEKAL-80.
8. SHRI JANAKIRAMUDU
AGED 55 YEARS,
C/O ALLIANCE UNIVERSITY,
CHIKKA HEGADE,
ANEKLA CHANDAPURA ROAD,
ANEKAL-80.
9. SHRI. TAPAN KUMAR
AGED 58 YEARS
C/O ALLIANCE UNIVERSITY,
CHIKKA HEGADE, ANEKLA CHANDAPURA ROAD,
ANEKAL-80.
10. SHRI. SHYAMKISHORE
AGED 35 YEARS
C/O ALLIANCE UNIVERSITY,
CHIKKA HEGADE, ANEKLA CHANDAPURA ROAD,
ANEKAL-80.
11. SHRI. SANTOSH KAWARI
AGED 38 YEARS
C/O ALLIANCE UNIVERSITY,
CHIKKA HEGADE, ANEKAL CHANDAPURA ROAD,
ANEKAL-80.

...PETITIONERS

(BY SRI JAYAKUMAR S. PATIL, SENIOR COUNSEL FOR
SMT. VANDANA P.L., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA BY THE
ADDITIONAL CHIEF SECRETARY TO THE GOVERNMENT,
DEPARTMENT OF HOME AFFAIRS,
VIDHANA SOUDHA,
BANGALORE-560 001.
2. THE STATE OF KARNATAKA BY THE
PRINCIPAL SECRETARY TO THE GOVERNMENT,
DEPARTMENT OF HOME AFFAIRS,
VIDHANA SOUDHA, BANGALORE-560 001.
3. THE STATE OF KARNATAKA BY
THE DIRECTOR GENERAL OF POLICE FOR
THE STATE OF KARNATAKA,
OFFICE OF DGP, NRUPATHUNGA ROAD,
BANGALORE-560 002.
4. THE STATE OF KARNATAKA BY
THE INSPECTOR GENERAL OF POLICE
CENTRAL RANGE,
OFFICE OF IGP-CENTRAL RANGE,
CHANDRIKA HOTEL CIRCLE,
VASANTH NAGAR,
BANGALORE-560 003.
5. THE STATE OF KARNATAKA BY
THE SUPERINTENDENT OF POLICE,
BANGALORE RURAL DISTRICT,
OFFICE OF SP, CHANDRIKA HOTEL CIRCLE,
VASANTH NAGAR,
BANGALORE-560 003.

6. THE STATE OF KARNATAKA BY
ANEKAL POLICE STATION, ANEKAL,
REPRESENTED BY
THE CIRCLE INSPECTOR OF POLICE,
ANEKAL POLICE STATION,
ANEKAL-560 080.
7. MR. LOKESH K B
FATHERS' NAME NOT KNOWN,
AGED MAJOR,
POLICE CONSTABLE NO.1639,
ANEKAL POLICE STATION,
ANEKAL-80.
8. MR. NARAYANA
FATHER'S NAME NOT KNOWN,
OCCUPATION:ADDL. SUPERINTENDENT OF POLICE,
BANGALORE RURAL DISTRICT,
OFFICE OF DY.S.P,
C/O. OFFICE OF SP, CHANDRIKA HOTEL CIRCLE,
VASANTH NAGAR,
BANGALORE-560 003.
9. MR. MALATHESH
FATHERS' NAME NOT KNOWN,
AGE MAJOR,
OCCUPATION CIRCLE POLICE INSPECTOR,
ANEKAL POLICE STATION,
ANEKAL,
BANGALORE RURAL DISTRICT-560 080.
10. MR. S.K. UMESH
FATHERS' NAME NOT KNOWN,
OCCUPATION DY.SUPERINTENDENT OF POLICE,
BANGALORE RURAL DISTRICT,
OFFICE OF DY.S.P.,
C/O.OFFICE OF SP, CHANDRIKA HOTEL CIRCLE,
VASANTH NAGAR,
BANGALORE-560 003.

11. MR. VISHWANATH
CIRCLE POLICE INSPECTOR,
HEBBAGODI POLICE STATION,
HEBBAGODI, BANGALORE-560 080.

12. MR. MOHAN
CIRCLE POLICE INSPECTOR,
JIGANI POLICE STATION,
JIGANI, ANEKAL TALUK,
BANGALORE-560 080.

...RESPONDENTS

(BY SRI S. VISHWAMURTHY, HCGP FOR R-1, R-3 TO R-6;
R2, R7, R8, R9, R10 TO R12 ARE SERVED)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF INDIAN CONSTITUTION READ WITH SECTION 482 OF CR.P.C., PRAYING TO QUASH THE COMPLAINT AND FIR IN CRIME NO.264/2016 AT ANNEXURE-B DATED 03.10.2016 OF ANEKAL POLICE FOR THE OFFENCES PUNISHABLE UNDER SECTIONS 66, 66(C), 66(D) OF INFORMATION TECHNOLOGY ACT AND SECTIONS 504, 120B, 34, 379, 380, 417 AND 426 OF IPC.

IN WRIT PETITION NO.53223/2016:

BETWEEN:

1. SHRI GOVIND CHEBBI
S/O SHRI CHEBBI,
AGED 62 YEARS,
PRINCIPAL CARETAKER,
ALLIANCE UNIVERSITY,
CHIKKA HAGADE,
ANEKAL CHANDAPURA ROAD,
ANEKAL-80.

2. SMT. SHAILA CHEBBI
W/O. SHRI. G.B. CHEBBI,
AGED ABOUT 56 YEARS,
OCCUPATION: DIRECTOR,
M/S. ALLIANCE BUSINESS SCHOOL,
NO.100, 34TH MAIN, 2ND CROSS,
DOLLARS SCHEME, BTM I STAGE,
BANGALORE-560 068.
SPONSORING ENTITY OF ALLIANCE UNIVERSITY.
3. SHRI. SUDHIR ANGUR
AGED ABOUT 53 YEARS,
CHANCELLOR, ALLIANCE UNIVERSITY,
CHIKKA HAGADE, ANEKAL CHANDAPURA ROAD,
ANEKAL-560 080.
4. SHRI. ABHAY GOVIND CHEBBI
S/O. SHRI. G.B. CHEBBI,
AGED ABOUT 30 YEARS,
OCCUPATION: DIRECTOR,
M/S. ALLIANCE BUSINESS SCHOOL,
NO.100, 34TH MAIN, 2ND CROSS,
DOLLARS SCHEME, BTM I STAGE,
BANGALORE-560 068.
5. SHRI. PRAKASH BOODUR
S/O. SHRI. SIDDAPPA,
AGED ABOUT 37 YEARS,
OCCUPATION: DIRECTOR,
M/S. ALLIANCE BUSINESS SCHOOL,
NO.100, 34TH MAIN, 2ND CROSS,
DOLLARS SCHEME, BTM I STAGE,
BANGALORE-560 068.
6. SMT. SUJATHA SANJEEV
D/O. SHRI. SANJEEV,
AGED ABOUT 45 YEARS,
C/O. NO.100, 34TH MAIN, 2ND CROSS,

DOLLARS SCHEME, BTM I STAGE,
BANGALORE-560 068.

7. SHRI. Y. SRINIVASAN
(PATAPAT SRINIVAS)
AGED ABOUT 45 YEARS,
S/O. LATE SHRI. YELLAPPA,
OCCUPATION: COUNCIL MEMBER,
M/S. ALLIANCE UNIVERSITY,
ANEKAL, BANGALORE-560 080.
8. SHRI. Y. PRAKASH
(PATAPAT PRAKASH),
AGED ABOUT 46 YEARS,
S/O. LATE SHRI. YELLAPPA,
OCCUPATION: ADVOCATE ON RECORD FOR
M/S. ALLIANCE UNIVERSITY,
ANEKAL, BANGALORE-560 080.
9. SHRI. MANJUNATHA
AGED ABOUT 35 YEARS,
OCCUPATION: ADVOCATE ON RECORD FOR
M/S. ALLIANCE UNIVERSITY,
ANEKAL, BANGALORE-560 080.
10. SHRI. NANDAKUMAR
AGED ABOUT 35 YEARS,
STAFF MEMBER/SECURITY OFFICER,
M/S. ALLIANCE UNIVERSITY,
ANEKAL, BANGALORE-560 080.

...PETITIONERS

(BY SRI JAYAKUMAR S. PATIL, SENIOR COUNSEL FOR
SMT. VANDHANA P.L., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA BY THE
ADDITIONAL CHIEF SECRETARY TO THE GOVERNMENT,

DEPARTMENT OF HOME AFFAIRS,
VIDHANA SOUDHA,
BANGALORE-560 001.

2. THE STATE OF KARNATAKA BY THE
PRINCIPAL SECRETARY TO THE GOVERNMENT,
DEPARTMENT OF HOME AFFAIRS,
VIDHANA SOUDHA, BANGALORE-560 001.
3. THE STATE OF KARNATAKA BY
THE DIRECTOR GENERAL OF POLICE FOR
THE STATE OF KARNATAKA,
OFFICE OF DGP, NRUPATHUNGA ROAD,
BANGALORE-560 001.
4. THE STATE OF KARNATAKA BY
THE INSPECTOR GENERAL OF POLICE
CENTRAL RANGE,
OFFICE OF IGP-CENTRAL RANGE,
CHANDRIKA HOTEL CIRCLE,
VASANTH NAGAR,
BANGALORE-560 003.
5. THE STATE OF KARNATAKA BY
THE SUPERINTENDENT OF POLICE,
BANGALORE RURAL DISTRICT,
OFFICE OF SP, CHANDRIKA HOTEL CIRCLE,
VASANTH NAGAR,
BANGALORE-560 003.
6. THE STATE OF KARNATAKA BY
ANEKAL POLICE STATION, ANEKAL,
REPRESENTED BY
THE CIRCLE INSPECTOR OF POLICE,
ANEKAL POLICE STATION,
ANEKAL-560 080.

7. MR. MADHUKAR ANGUR
S/O. GUDDAPPA ANGUR,
AGED ABOUT 61 YEARS,
RESIDING AT NO.48A, 27TH MAIN,
1ST CROSS, BTM 1ST STAGE,
BANGALORE-560 068.
8. MR. NARAYANA
FATHER'S NAME NOT KNOWN,
OCCUPATION:ADDL. SUPERINTENDENT OF POLICE,
BANGALORE RURAL DISTRICT,
OFFICE OF DY.S.P,
C/O. OFFICE OF SP, CHANDRIKA HOTEL CIRCLE,
VASANTH NAGAR,
BANGALORE-560 003.
9. MR. MALATHESH
FATHERS' NAME NOT KNOWN,
AGE MAJOR,
OCCUPATION CIRCLE POLICE INSPECTOR,
ANEKAL POLICE STATION,
ANEKAL,
BANGALORE RURAL DISTRICT-560 080.
10. MR. S.K. UMESH
FATHERS' NAME NOT KNOWN,
AGE MAJOR,
OCCUPATION DY.SUPERINTENDENT OF POLICE,
BANGALORE RURAL DISTRICT,
OFFICE OF DY.S.P.,
C/O.OFFICE OF SP, CHANDRIKA HOTEL CIRCLE,
VASANTH NAGAR,
BANGALORE-560 003.
11. MR. VISHWANATH
CIRCLE POLICE INSPECTOR,
HEBBAGODI POLICE STATION,
HEBBAGODI, BANGALORE-560 080.

12. MR. MOHAN
CIRCLE POLICE INSPECTOR,
JIGANI POLICE STATION,
JIGANI ANEKAL TALUK,
BANGALORE-560 080.

...RESPONDENTS

(BY SRI S. VISHWAMURTHY, HCGP FOR R-1 TO R-6;
SRI H.C. SHIVARAMU, ADVOCATE FOR R-7;
R8, R9, R10, R11 & R12 ARE SERVED BUT UNREPRESENTED)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF INDIAN CONSTITUTION READ WITH SECTION 482 OF CR.P.C., PRAYING TO QUASH THE COMPLAINT AND FIR IN CRIME NO.267/2016 AT ANNEXURE-B DATED 03.10.2016 OF ANEKAL POLICE FOR THE OFFENCES PUNISHABLE UNDER SECTION 506, 504, 149, 323, 147 143 OF IPC AND ETC.

IN WRIT PETITION NO.53234/2016:

BETWEEN:

ALLIANCE UNIVERSITY
CHIKKAHAGADE,
ANEKAL,
BANGALORE RURAL DISTRICT-80,
REPRESENTED BY THE REGISTRAR,
SHRI. MAHDUSUDHAN MISRA,
AGED 54 YEARS.

...PETITIONER

(BY SRI JAYAKUMAR S. PATIL, SENIOR COUNSEL FOR
SMT. VANDHANA P.L., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA BY THE
ADDITIONAL CHIEF SECRETARY TO THE GOVERNMENT,
DEPARTMENT OF HOME AFFAIRS,

VIDHANA SOUDHA,
BANGALORE-560 001.

2. THE STATE OF KARNATAKA BY THE
PRINCIPAL SECRETARY TO THE GOVERNMENT,
DEPARTMENT OF HOME AFFAIRS,
VIDHANA SOUDHA, BANGALORE-560 001.
3. THE STATE OF KARNATAKA BY
THE DIRECTOR GENERAL OF POLICE FOR
THE STATE OF KARNATAKA,
OFFICE OF DGP, NRUPATHUNGA ROAD,
BANGALORE-560 001.
4. THE STATE OF KARNATAKA BY
THE INSPECTOR GENERAL OF POLICE
CENTRAL RANGE,
OFFICE OF IGP-CENTRAL RANGE,
CHANDRIKA HOTEL CIRCLE,
VASANTH NAGAR,
BANGALORE-560 003.
5. THE STATE OF KARNATAKA BY
THE SUPERINTENDENT OF POLICE,
BANGALORE RURAL DISTRICT,
OFFICE OF SP, CHANDRIKA HOTEL CIRCLE,
VASANTH NAGAR,
BANGALORE-560 003.
6. THE STATE OF KARNATAKA BY
ANEKAL POLICE STATION, ANEKAL,
REPRESENTED BY
THE CIRCLE INSPECTOR OF POLICE,
ANEKAL POLICE STATION,
ANEKAL-560 080.
7. MR. SYED AFZAL AKTHAR
CLAIMING TO THE STUDENT OF
ALLIANCE UNIVERSITY,

C/O. MADHUKAR ANGUR,
R/AT NO. 48A, 27TH MAIN, 1ST CROSS,
BTM 1ST STAGE,
BANGALORE-560 068.

8. MR. NARAYANA
FATHER'S NAME NOT KNOWN,
OCCUPATION:ADDL. SUPERINTENDENT OF POLICE,
BANGALORE RURAL DISTRICT,
OFFICE OF DY.S.P,
C/O. OFFICE OF SP, CHANDRIKA HOTEL CIRCLE,
VASANTH NAGAR,
BANGALORE-560 003.
9. MR. MALATHESH
FATHERS' NAME NOT KNOWN,
AGE MAJOR,
OCCUPATION CIRCLE POLICE INSPECTOR,
ANEKAL POLICE STATION,
ANEKAL,
BANGALORE RURAL DISTRICT-560 080.
10. MR. S.K. UMESH
FATHERS' NAME NOT KNOWN,
OCCUPATION DY.SUPERINTENDENT OF POLICE,
BANGALORE RURAL DISTRICT,
OFFICE OF DY.S.P.,
C/O.OFFICE OF SP, CHANDRIKA HOTEL CIRCLE,
VASANTH NAGAR,
BANGALORE-560 003.
11. MR. VISHWANATH
CIRCLE POLICE INSPECTOR,
HEBBAGODI POLICE STATION,
HEBBAGODI, BANGALORE-560 080.
12. MR. MOHAN
CIRCLE POLICE INSPECTOR,
JIGANI POLICE STATION,

JIGANI, ANEKAL TALUK,
BANGALORE-560 080.

...RESPONDENTS

(BY SRI S. VISHWAMURTHY, HCGP FOR R-1 TO R-6;
R7, R8, R9, R10, R11 & R12 ARE SERVED BUT
UNREPRESENTED)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF INDIAN CONSTITUTION READ WITH SECTION 482 OF CR.P.C., PRAYING TO QUASH THE COMPLAINT AND FIR IN CRIME NO.268/2016 AT ANNEXURE-B DATED 03.10.2016 OF ANEKAL POLICE FOR THE OFFENCES PUNISHABLE UNDER SECTION 504, 341 OF IPC AND ETC.

THESE WRIT PETITIONS ARE COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP THIS DAY, THE COURT MADE THE FOLLOWING:

O R D E R

WP No.53199/2016:

1. FIR is registered in Crime No.261/2016 for the offences punishable under Sections 506, 341, 323, 504 and 34 of IPC against the petitioner – accused alleging that the informant, who is Chancellor of Alliance University, on 29.9.2016 at about 2.30 p.m. when he was proceeding to the campus carrying the order of the High Court, the petitioner – accused along with others restrained him from entering the campus and

assaulted him with their hands and abused him in filthy language and also gave life threat.

WP No.53095/2016:

2. FIR is registered in Crime No.262/2016 for the offences punishable under Sections 506, 504, 149, 323, 147, 143, 324 and 353 of IPC against petitioners alleging that the informant, who is the Head Constable, after registration of the FIRs in Crime Nos.261, 267 and 268 of 2016, went to the campus of Alliance University along with Madhukar Angur to extend protection to Madhukar Angur to enter the campus and at that point of time, the petitioner – accused pulled Madhukar Angur to the ground and when he came to rescue of Madhukar Angur, at that point of time, they pulled his uniform and assaulted him with club, iron rod due to which, he sustained injury on his lips and PSI, CPI, DYSP and others rescued him.

WP No.53212/2016:

3. FIR is registered in Crime No.264/2016 on 3.10.2016 for the offences punishable under Sections 504, 120B, 34, 379, 380, 417, 426 of IPC and Sections 66, 66C, 66D of Information

Technology Act against the petitioners alleging that the petitioners – accused by misusing and abusing their official positions and official e-mail of Alliance University have committed the theft of confidential documents, cash of Rs.1.2 crores, information technology hardware and vehicles causing damage and loss to the Alliance University. It is further alleged that the petitioner – accused No.7 has committed the aforesaid offences in collusion with other accused claiming to be the Registrar of the University though he has not been appointed by Madhukar Angur, who is the Chancellor of the University.

WP No.53223/2016:

4. FIR is registered in Crime No.0267/2016 for the offences punishable under Sections 506, 341, 149, 143 of IPC against the petitioners alleging that, on 29.9.2016 at 2:30 p.m, when the informant and his Advocate came near the gate of Alliance University and the students who were standing near the gate, at that point of time, petitioners – accused pulled and restrained them from entering the campus and also gave life threat.

WP No.53234/2016:

5. FIR is registered in Crime No.0268/2016 for the offences punishable under Sections 341, 504 of IPC against petitioner alleging that at about 5.00 p.m., the founder Chancellor, Dr.Madhukar Angur and a group of Advocates when they approached the main gate and requested to open the gate and allow them to meet the administrative body, from 6.30 to 7.00 p.m. and when they continuously tried to reach out to some members of the administrative body were threatened with dire consequences. In addition, the members of the administrative body group came out and started to use filthy language against Madhukar Angur and others and showed indifferent attitude.

6. Sri Jayakumar S Patil, learned Senior Counsel appearing for the learned counsel for petitioners submits that the impugned FIRs are lodged against the petitioners during the operation of the order/s of temporary injunction granted by the jurisdictional Civil Court/s against Madhukar Angur and others restraining them from interfering with the administration of the Alliance University. Hence, the FIRs are

lodged as an afterthought to circumvent the order/s passed by the jurisdictional Civil Court. He further submits that the dispute between the parties is purely civil in nature, however given a criminal texture with an ulterior motive for wreaking vengeance and revengeful intent.

7. On the other hand, learned High Court Government Pleader submits that despite civil suits pending between the parties, the impugned FIRs clearly disclose the commission of offences alleged against the petitioners. Hence, the registration of FIR cannot be a bar when the allegations disclose the commission of cognizable offences.

8. I have considered the submissions of the learned counsel for the parties.

9. It is undisputed that Sri Sudhir Angur, Smt. Shaila Chebbi and Mala Srinivasa Gouda are the brother and sisters of Sri Madhukar Angur and Sri Abhay Govind Chebbi is the nephew of Madhukar Angur and other accused are the staff of Alliance University. There is a dispute with regard to Management of

Alliance University between the petitioners – accused and Sri Madhukar Angur and multiple suits are filed against each other.

10. Perusal of the order passed on the application under Section 39 Rules 1 and 2 of CPC in OS No.25394/2016 indicates that an order of temporary injunction was granted against the police personnel concerned not to interfere with the administration of the Alliance University. Perusal of the order dated 10.8.2016 passed by the jurisdictional Civil Court in OS No.3006/2016 indicates that the application filed by Madhukar Angur for grant of temporary injunction was rejected and on the contrary, an order of temporary injunction was granted in favour of present petitioners – accused and others against Sri Madhukar Angur not to interfere with the Management of the University by the petitioners – accused. The order dated 30.8.2016 passed in OS No.2911/2016 by the jurisdictional Civil Court indicates that the order of temporary injunction was granted in favour of daughter of Sri Sudhir Angur and against Sri Madhukar Angur not to interfere with the administration of Alliance University.

11. The impugned FIRs have been lodged by Sri Madhukar Angur and others during the operation of the order/s of temporary injunction granted against Sri Madhukar Angur and the police personnel, Anekal Police Station. Hence, it is implied that the informants namely Sri Madhukar Angur and the police personnel were the aggressors and the impugned FIRs are lodged against the petitioners – accused to circumvent the order of temporary injunction granted against Sri Madhukar Angur and Police personnel, Anekal Police Station . The dispute between the parties is with regard to management of the University which is purely civil in nature, however, given a criminal texture with an ulterior notice for wreaking vengeance and with revengeful intent to harass the petitioners –accused. Accordingly, I pass the following:

ORDER

- i) Writ Petitions are allowed.
- ii) The impugned FIR in Crime No.261/2016 in
WP No.53199/2016, FIR in Crime No.262/2016 in

WP No.53095/2016, FIR in Crime No.264/2016 in
WP No.53212/2016, FIR in Crime No.267/2016 in
WP No.53223/2016 and FIR in Crime No.268/2016 in
WP No.53234/2016, registered by Anekal Police are hereby
quashed.

Sd/-
JUDGE

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