



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 17TH DAY OF DECEMBER, 2025

BEFORE

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

CRIMINAL PETITION NO.200727 OF 2025

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

BETWEEN:

MR RAVINDRA S/O GURUNATH DHAKAPPA,
AGED ABOUT 65 YEARS, WORKED AS
COMMISSIONER, STATE INFORMATION
COMMISSION, KALABURAGI BENCH,
KALABURAGI, PERMANENT R/O FLAT NO.R-4,
2ND FLOOR, RAO MANSION,
17TH A CROSS, 10TH MAIN,
MALLESHWARAM, BENGALURU-560055,
PRESENTLY R/A FLAT NO.202, 2ND FLOOR,
APARTMENT NO.E-9, BHARATH PRIDE PARK
APARTMENT, KALABURAGI-585104.

...PETITIONER

(BY SRI P. N. HEGDE, AND
SRI A. M. NAGRAL, ADVOCATES)

AND:

1. STATE OF KARNATAKA BY LOKAYUKTHA POLICE,
KALABURGI DIVISION, REPRESENTED BY ITS,
ADDL. SPP, HIGH COURT OF KARNATAKA
KALABURGI-585103.
2. SRI SAIBANNA BENKANAHALLI
S/O SIDDAPPA, AGED ABOUT 57 YEARS,
PRESS REPORTER,
"KALBURGI KALARAVA"

Digitally signed by
NIJAMUDDIN
JAMKHANDI
Location: HIGH
COURT OF
KARNATAKA



R/O FLAT NO.116,
SURYANAGAR, SEDAM ROAD,
KALABURAGI-585106.

...RESPONDENTS

(BY SRI GOURISH S. KHASHAMPUR, ADVOCATE FOR R1;
SRI MANJUNATH GINNI, ADVOCATE FOR R2)

THIS CRIMINAL PETITION IS FILED UNDER SECTION 482 OF CR.P.C. (OLD), UNDER SECTION 528 OF BNSS (NEW), PRAYING TO QUASH THE FIR IN CRIME NO.06/2025 REGISTERED FOR THE OFFENCE PUNISHABLE UNDER SECTION 7(A) OF PREVENTION OF CORRUPTION ACT, 1988 (AMENDED), BY THE 1ST RESPONDENT POLICE (KARNATAKA LOKAYUKTHA POLICE STATION, KALABURAGI DIVISION) AND PENDING ON THE FILE OF PRL. DISTRICT AND SESSIONS COURT (SPL. COURT) AT KALABURAGI.

THIS PETITION HAVING BEEN HEARD AND RESERVED FOR ORDERS ON 04.12.2025 COMING ON FOR 'PRONOUNCEMENT OF ORDERS' THIS DAY, THE COURT MADE THE FOLLOWING;

CORAM: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

CAV ORDER

This petition is filed under Section 482 of the Code of Criminal Procedure seeking quashing of the FIR registered in Crime No.06/2025 by the Lokayukta Police, Kalaburagi, for the offence punishable under Section 7(a) of the Prevention of Corruption Act, 1988, now pending before



the Principal District and Sessions Court (Special Court), Kalaburagi.

2. The petitioner is a public servant discharging duties under the Right to Information Act. Respondent No.2 is an RTI activist and journalist who claims to have filed several RTI applications before the competent authorities. The FIR proceeds on the basis of a complaint lodged on 27.03.2025, alleging demand of illegal gratification by the petitioner in connection with the disposal of certain RTI appeals.

FACTS OF THE CASE:

3. Respondent No.2 states that he had filed a large number of RTI applications, several of which culminated in appeals pending before the Information Commission. Out of these, 117 applications were rejected by the State Information Commissioner on 12.02.2025, and his name was included in the blacklist. The



complainant claims to have filed 118 applications before the petitioner, who dismissed them.

4. According to the complaint, the petitioner issued notice calling upon the complainant to appear before him on 25.03.2025 regarding fresh appeals. It is alleged that on 22.03.2025, the complainant met the petitioner and sought legal guidance in the background of the recent rejection of his appeals. It is further alleged that during this meeting, the petitioner demanded Rs.3,00,000/- for extending legal help and instructed that the amount be transferred to the ICICI Bank account of one Sai Harsha, who is alleged to be connected to the petitioner.

5. The complainant appeared before the petitioner on 25.03.2025, and his appeals were reserved for orders. He alleges that the petitioner informed him to meet again later that evening. Feeling aggrieved, the complainant approached Lokayukta Police on the same day and sought



a voice recorder to collect evidence. It is the complainant's own case that he did not name the petitioner at that point, and the Lokayukta Police handed over the device without registering an FIR.

6. On 27.03.2025, respondent No.2 lodged a formal complaint. The Lokayukta Police, during pre-trap proceedings, directed the complainant to transfer Rs.1,00,000 to the ICICI account of Sai Harsha. The transaction was completed electronically. The petitioner contends that this was an erroneous transfer, and the amount was immediately returned to the complainant within three minutes through PhonePe.

7. During investigation, call detail records were collected which reveal that the petitioner and the complainant were in telephonic communication on multiple occasions around the relevant dates. Cumulatively, the conversations lasted close to 9 minutes across several separate calls. The prosecution asserts that in one such



call, the petitioner reiterated the need to transfer "at least Rs.1,00,000/-."

8. Learned counsel for the petitioner submits that the voice recording does not reveal any demand or acceptance of illegal gratification. He further submits that the amount transferred to the account of Sai Harsha was a mistaken transfer and was promptly returned. It is submitted that the complainant had no reason to meet the petitioner before 25.03.2025 as he was already summoned for that date. Non-registration of FIR before the Lokayukta handed over the voice recorder and the complainant's failure to name the petitioner, according to the petitioner, cast serious doubt on the genuineness of the complaint.

9. The petitioner relies upon the decisions in :

(i) Mahmood Ali & Ors., v. State of U.P., & Ors., 2023 INSC 684,

(ii) Lalita Kumari v. Govt. of U.P., & Ors., (2014) 2 SCC 1,



- (iii) Dr. Shah Faesal & Ors., v. Union of India & Anr., (2020) 4 SCC 1,***
- (iv) Neeraj Dutta v. State (Govt. of NCT of AIR 2023 SC 330,***
- (v) J. Suresh v. State of Karnataka (Crl.RP No.1318/2016), and***
- (vi) Usha G. v. State of Lokayukta Police, 2025 SCC OnLine Kar 999.***

10. According to the petitioner, these decisions support the proposition that:

- (a) a preliminary enquiry is mandatory before registration of FIR;
- (b) demand of bribe is necessary for conviction;
- (c) irregularities in trap preparation vitiate proceedings; and
- (d) quashing is appropriate where allegations are inherently improbable.



11. In *Lalita Kumari* supra, the Supreme Court has categorically held that if the information discloses commission of a cognizable offence, registration of FIR is mandatory. A preliminary enquiry is permissible only to ascertain whether cognizable offence is disclosed and not to test veracity.

12. The complaint herein alleges (i) demand of bribe of Rs.3,00,000, (ii) sharing of bank account to receive the bribe, (iii) subsequent telephonic communication, (iv) actual transfer of money during pre-trap proceedings, and (v) recorded conversation indicating monetary demand.

13. These allegations, taken at face value, clearly disclose the offence under Section 7(a) of the Prevention of Corruption Act, which criminalises even an attempt to obtain undue advantage. Thus, the FIR cannot be said to be without basis.



14. The investigation has revealed that the petitioner and complainant had communicated for approximately 9 minutes, spread across several calls. The timing of these calls coincides with the dates of alleged demand and the subsequent transfer of money. These materials cannot be discarded at this stage.

15. In *Neeraj Dutta* supra, the Constitutional Bench of the Hon'ble Supreme Court held that demand is the gravamen of the offence, but proof of demand is a matter of evidence and cannot be adjudicated during a quashing petition.

16. It was further held that electronic evidence such as call recordings is admissible subject to proof.

17. Whether the conversation constitutes a demand for undue advantage, whether the money was transferred by mistake, or whether the complainant acted out of malice are all matters for trial. They cannot be decided in proceedings under Section 482 Cr.P.C.



18. The petitioner contends that the money was intended for the son of his friend and was wrongly transferred to the complainant. This is a matter for the defence, requiring examination of the petitioner's usage history, his contact list, and circumstances surrounding the transfer.

19. As held in *Mahmood Ali* supra, defences requiring evaluation of disputed questions of fact cannot be entertained at the stage of quashing. The "mistaken transfer" theory therefore cannot lead to quashing of FIR.

20. The petitioner argues that the Lokayukta Police gave a voice recorder without registering FIR or identifying the accused. The Supreme Court in *Dr. Shah Faesal* supra held that errors or irregularities in the mode of investigation do not vitiate the FIR unless they cause serious prejudice affecting the root of the case.

21. In the present case, the FIR was subsequently registered, and there is no allegation of fabrication. Even



assuming certain irregularities, they do not strike at the jurisdiction of the police to investigate a disclosed cognizable offence.

22. In *Usha G. supra*, this Court held that allegations of corruption must be strictly scrutinised, and quashing is justified only when the allegations are absurd, inherently improbable, or manifestly mala fide.

23. Here, the complainant's allegations are supported by:

- (a) Account details allegedly supplied by petitioner,
- (b) Multiple telephonic communications,
- (c) A voice recording showing discussion of monetary transfer, and
- (d) Actual transfer of Rs.1,00,000/- under IO's instructions.

24. These materials provide *prima facie* satisfaction that investigation must continue.



25. In *J. Suresh* supra, this Court reiterated that demand of illegal gratification and its surrounding circumstances are matters for trial, and inherent powers cannot be invoked to pre-empt a corruption trial at the threshold.

26. Upon careful examination of the material on record and the legal position, this Court is of the considered view that the FIR discloses a cognizable offence. The petitioner's defences require appreciation of evidence and cannot be looked into in a petition under Section 482 Cr.P.C. The call records, voice recording, and transfer of money, taken cumulatively, *prima facie* justify continuation of investigation.

27. This is therefore not a fit case for exercise of inherent jurisdiction to quash the FIR. Any observation herein is confined for the purpose of the present petition and shall not influence the trial.



ORDER

- (i) The Criminal Petition stands dismissed.
- (ii) Investigation in Crime No.6/2025 registered by the Lokayukta Police, Kalaburagi, for the offence punishable under Section 7(a) of the Prevention of Corruption Act, 1988, now pending before the Principal District and Sessions Court (Special Court), Kalaburagi shall continue in accordance with law.
- (iii) All pending interlocutory applications, if any, stand disposed of.

**Sd/-
(SACHIN SHANKAR MAGADUM)
JUDGE**

RSP
List No.: 2 SI No.: 45
CT: SI