



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 16TH DAY OF SEPTEMBER, 2025

BEFORE

THE HON'BLE MS. JUSTICE J.M.KHAZI

CRIMINAL PETITION NO. 2109 OF 2022

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

BETWEEN:

1. MR PRAKASH M
AGED ABOUT 35 YEARS,
S/O MUNITHANAPPA,
R/A 146/2, SADARABEEDHI,
CHIKKABEGURU VILLAGE, BENGALURU-560068
2. MR CHETHAN P
AGED ABOUT 32 YEARS,
S/O R PRAKASH REDDY,
R/A NO 24, HONGASANDRA
MUNESHWARA LAYOUT, BEGUR HOBLI,
BENGALURU-560068
3. MR MANJUNATHA M
AGED ABOUT 35 YEARS,
S/O MUNIRAJU K M
R/A E98/1, 8TH CROSS, AMBEDKAR LAYOUT,
ELLUKUNTE VILLAGE, BENGALURU-560102

...PETITIONERS

(BY SRI. MANJUNATH V, ADVOCATE)

AND:

1. STATE BY HEBBAGODI POLICE
ANEKAL TALUK, BENGALURU DIST,



REP BY SPP
BENGALURU - 560001

2. MUNIRAJU
AGED ABOUT 61 YEARS,
S/O LATE AKKALAPPA
NO 400, 1ST CROSS, 6TH MAIN
INDIRANAGAR, BENGALURU-560008

...RESPONDENTS

(BY SRI.B.LAKSHMAN, HCGP FOR R1; R2 SERVED)

THIS CRL.P IS FILED U/S.482 CR.P.C BY THE ADVOCATE FOR THE PETITIONER PRAYING TO QUASH THE ENTIRE PROCEEDINGS IN CR. NO.38/2022 AGAINST THE PETITIONERS AND OTHERS FOR THE OFFENCES P/U/S 419,420,468,469,471,120B OF IPC PENDING ON THE FILE OF II ADDITIONAL CIVIL JUDGE (JR.DN.) AND J.M.F.C., ANEKAL.

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

CORAM: HON'BLE MS. JUSTICE J.M.KHAZI

ORAL ORDER

Petitioner who is arraigned as accused Nos.7 to 9 have filed this petition under Section 482 of the Code of Criminal Procedure, to quash the criminal proceedings initiated against them in Cr.No.38/2022 of respondent No.1 PS for the for the offences punishable under Sections 419, 420, 468, 469, 471, 120B IPC, pending on the file II



Additional Civil and JMFC Anekal, Bengaluru Rural district,
Bengaluru.

2. In support of the petition, petitioners have contended that they are innocent of the offences alleged and have been falsely implicated and they have valid and tenable grounds. The allegations made in the complainant does not attract the offences alleged. The petitioners have been implicated to harass and humiliate them and to shield the real culprits.

2.1 The petitioners approached accused No.1 Hanumanthappa in connection with sale of land Sy.No.36/1 measuring 02A-3G and Sy.No.36/4 measuring 00-20G of Gattahalli, Sarjjapura Hobli, Anekal taluk. Accused No.1 represented to the petitioner that he is the absolute owner of the property. After the negotiation, petitioners agreed to purchase the same, and sale deed came to be executed on 28.10.2020. petitioners have paid



Rs.1,80,00,000/- .When petitioners approach the Tahasildar for change of Khatha, certain objections were raised and proceeding in RRT.DIS.C.R.115/2020-21 came to be initiated.

2.2. Prior to the execution of sale deed in favour of petitioners, one Gowramma and others initiated proceedings under Section 136(2) of KLR Act in RA(A) No.235/2013-14 and in the said proceedings accused No.1 had filed impleading application. It was allowed and after detailed enquiry the Assistant Commissioner directed effecting Khatha in the name of accused No.1. After verifying the records, and on being satisfied with the title and possession of accused No.1 over the land in dispute, petitioners have purchased it.

2.3 The dispute is purely civil in nature. In order to pressuring the parties, alleging the forgery and other offences complaint is filed. Petitioners are the bonafide purchasers for value. They have not committed the alleged offences. Continuation of the criminal proceedings



against the petitioners would amount to abuse of the process of the Court and hence, the petition.

3. On the other hand, learned High Court Government Pleader representing respondent would submit that land in Sy.No.36/1 measuring 02A-23G originally belonged to complainant's father Akkalappa. Till 2020-21 Khata was standing in his name and he has paid taxes. Akkalappa died on 20.06.1992. After his death complainant succeed to the same. Out of the said extent, accused No.3, Jayamma and her son accused No.2 Veerabhadrapa in collusion with revenue officers got transferred Khatha in their names. Out of it, accused No.3 Jayamma sold 00:20-G in favour of accused No.6 Meenakumari through registered sale deed dated 05.02.2011 and it was renumbered as Sy.No.36/4.

3.1. In respect of the entire extent, one Gowramma, w/o Maragalappa and others filed



RA(A)No.235/2013-14 before the Assistant Commissioner, Bengaluru South, arraigning Akkalappa the father of complainant as respondent No.1. However, father of the complainant had died during 1992 itself. His LRs including complainant were not impleaded in the said proceedings. Accused No.1 Hanumanthappa concocted documents claiming to be the brother of late Akkalappa and got himself impleaded as respondent No.8 in the said proceedings. Based on the concocted documents, the Assistant Commissioner passed order to transfer Khata in the name of accused No.1 Hanumanathappa.

3.2. Based on the said proceedings, accused No.1 has sold 02A-3G in Sy.No.36/1 and 00-20G in Sy.No.36/4 in favour of petitioners. Later, petitioners have sold the said property in favour of accused No.7 Kavitha. The entire property to belongs to the family of complainant who belonged to Vokkaliga Gowda community, whereas accused No.1 Hanumanthappa belongs to Kuruba caste.



Only on the basis of concocted documents property is being alienated.

3.3. Based on the complainant the concerned police registered case and taken up the matter for investigation. It is not a simple case of sale and purchase of property in question, but concoction of documents and impersonation. A detailed investigation is required to examine the part played by all accused persons including the petitioners and pray to dismiss the petition.

4. Heard arguments and perused the record.

5. Thus petitioners who are accused Nos.7 to 9 are seeking quashing of criminal proceedings initiated against them contending that they are bonafide purchasers for value and therefore they cannot be prosecuted for criminal offences. On the other hand it is the specific case of the complainant that the property in question was owned and



possessed by his father Akkalappa. They belonged to Vokkaliga community, whereas accused No.1 Hanumanthappa belongs to Kuruba community. After the death of Akkalappa, fraudulently, Hanumanthappa got himself impleaded as LR of Hanumanthappa and got the documents in his name and on that basis has alienated the property belonging to the complainant.

6. Accused Nos.7 to 9 who are the petitioners, without enquiring about all these aspects has allegedly purchased the property in dispute. Therefore, a detailed investigation is necessary to examine the offence committed by Hanumanthappa. It is also necessary to examine whether petitioners are also hand in glove with him. If during investigation, it is found that petitioners are not party to the fraud and mischief committed by Hanumanthappa and they are bonafide purchasers for value, the investigating officer may drop them and arraign them as witnesses to the prosecution. For so doing, it is necessary to conduct detailed investigation. Therefore, at



this initial stage, wherein the investigation has just commenced, petitioners cannot seek quashing of the criminal proceedings against them and therefore, the petition is liable to be rejected and accordingly, the following:

ORDER

Petition filed by the petitioners/accused
Nos.7 to 9 under Section 482 Cr.P.C is
hereby rejected.

Sd/-
(J.M.KHAZI)
JUDGE

RR
List No.: 1 Sl No.: 29