



CNR: KAHC010001712024

NC: 2026:KHC:48307
CRL.P No. 157 of 2024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 7TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE RAJESH RAI K

CRIMINAL PETITION NO. 157 OF 2024

BETWEEN:

1. VAGEESHA
S/O RUDRAIAH,
AGED ABOUT 49 YEARS,
R/AT SALAKATTE VILLAGE,
HARIHARA TALUK,
DAVANAGERE DISTRICT-577004.
2. CHANDRU
S/O VEERAAIAH CHARANTHI MATA,
AGED ABOUT 36 YEARS,
R/AT SALAKATTE VILLAGE,
HARIHARA TALUK,
DAVANAGERE DISTRICT-577004.

...PETITIONERS

(BY SRI. KANTHARAJAPPA M.G., ADVOCATE)

AND:

1. STATE OF KARNATAKA
BY RMC YARD POLICE,
DAVANAGERE-577004
REPRESENTED BY STATE PUBLIC PROSECUTOR,
HIGH COURT OF BUILDING,
BANGALORE-560001.

Digitally signed
by PANKAJA S
Location: HIGH
COURT OF
KARNATAKA



CNR: KAHC010001712024

NC: 2026:KHC:48307
CRL.P No. 157 of 2024

2. SANTHOSH M.R.
S/O M.B.RUDRAPPA,
AGED ABOUT 39 YEARS,
R/AT SHRI ANJANEYA AGENCY OWNER,
MELLAKATTE VILLAGE,
DAVANAGERE CITY-577004.

...RESPONDENTS

(BY SRI.JAVEED S., HCGP)

THIS CRL.P IS FILED U/S.482 OF CR.P.C PRAYING TO QUASH THE CHARGE SHEET AND IN SO AS PER ACCUSED NO.4 AND 5 PROCEEDINGS IN THE LEARNED III ADDITIONAL CIVIL JUDGE AND J.M.F.C., DAVANAGERE IN C.C.NO.2819/2023 FOR THE OFFENCE P/U/S 406, 420, 419, 464, 465, 467 R/W 149 OF IPC, REGISTERED BY THE RESPONDENT - SUB-INSPECTOR OF POLICE, RMC YARD POLICE STATION, DAVANAGERE IN ANNEXURE-C BY ALLOWING THIS CRIMINAL PETITION.

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

CORAM: HON'BLE MR. JUSTICE RAJESH RAI K

ORAL ORDER

This petition is filed under Section 482 of Cr.P.C seeking to quash the proceedings against the petitioners/accused Nos.4 and 5 in C.C.No.2819/2023 arising out of Crime No.16/2021 dated 17.03.2021 filed by the RMC Yard Police Station, Davanagere, for the offences punishable under Sections 406,



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CRL.P No. 157 of 2024**

420 r/w 34 of IPC, pending on the file of II JMFC Court at Davanagere.

2 The abridged facts of the case are that, based on the complaint lodged by Sri. Santhosh M.R., respondent No.2, the proprietor of Sree Anjaneya Agency, Mellakatte, Davanagere, respondent No.1-Police registered a case against the petitioners and four others for the aforementioned offences. It is alleged in the complaint that the complainant was carrying on the business of selling agricultural products in the name and style of Sree Anjaneya Agency at Davanagere. He used to purchase maize from the farmers of the surrounding villages and, in turn, sell the same to K.C. Traders and J.M.C. Group, situated at 'C' Block, APMC Yard, Davanagere and owned by Shivalingaiah - accused No.1. After such sale, the sale consideration would be remitted to the bank accounts of the complainant and the respective farmers within 15 to 20 days.

3. On 29.12.2020, the complainant sent four loads of maize, weighing 1,600 quintals, at the rate of Rs.1,380/- per quintal, amounting to Rs.22,17,246/-, to K.C. Traders. Another



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CRL.P No. 157 of 2024**

purchaser by name Amruthappa also purchased maize from the farmers to the extent of 1,041 quintals, which was also sold to K.C. Traders. Apart from these two, some other traders also purchased maize and sold the same to K.C. Traders. However, K.C. Traders failed to make payment to the complainant and the other traders. Accordingly, the complainant lodged a complaint against accused Nos.1 to 6, which came to be registered in Crime No.16/2021.

4. After registration of the FIR, respondent No.1-Police investigated the case and filed a charge-sheet against the petitioners and four others for the offences punishable under Sections 406, 420, 419, 464, 465 and 467 read with Section 149 of the IPC. Aggrieved by the same, the petitioners have approached this Court by filing the present petition, seeking to quash the proceedings initiated against them.

5. Heard the learned counsel for the petitioners and the learned High Court Government Pleader for the respondent No.1 - State.



CNR: KAHC010001712024

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CRL.P No. 157 of 2024**

6. The primary contention of the learned counsel for the petitioners is that the entire quantity of maize was purchased by accused No.1 and that the petitioners have nothing to do with the purchase or payment of the sale consideration to the farmers or the complainant.

7. The learned High Court Government Pleader opposed the petition. He further contended that the entire amount of Rs.22,17,246/- has been recovered at the instance of accused No.1.

8. I have given my anxious consideration both on the submissions made by the learned counsel for the respective parties, so also perused the entire charge sheet materials.

9. On perusal of the complaint and charge-sheet materials, it is evident that accused No.1, in collusion with accused Nos.2 to 6, purchased maize and, after collecting a substantial amount of Rs.22,17,246/- from the farmers, deposited the same into the bank accounts of accused No.1 and a relative of accused No.4. Thereafter, they withdrew the said amount and distributed it amongst themselves. As such, the charge-sheet



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CRL.P No. 157 of 2024

materials disclose the necessary ingredients to constitute the alleged offences against the petitioners.

10. Quashing of criminal proceedings is warranted only where the complaint does not disclose the commission of any offence or where the proceedings are frivolous, vexatious or oppressive. Where the allegations made in the complaint, even if taken at their face value, do not constitute the alleged offence, this Court may exercise its jurisdiction to quash the proceedings at the stage of taking cognizance by the Magistrate. However, at this stage, it is not necessary to undertake a meticulous examination of the evidence or conduct a detailed analysis to ascertain whether the case would ultimately result in conviction or acquittal.

11. In the instant case, on a conjoint reading of the complaint, charge-sheet materials and the statements of the witnesses, the necessary ingredients of the alleged offences are prima facie disclosed. Therefore, there is no justification for this Court to exercise its jurisdiction to quash the criminal proceedings as held in the case of **SAU. KAMAL SHIVAJI**



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CRL.P No. 157 of 2024

POKARNEKAR VS. STATE OF MAHARASHTRA AND OTHERS reported in **2019 (14) SCC 350**. The allegations contained in the charge-sheet are required to be tested in the course of trial. Accordingly, the petition, being devoid of merits, is liable to be dismissed.

12. Hence, without expressing any opinion on the merits of the case, it is sufficient to hold that the proceedings cannot be quashed at this stage. Accordingly, the petition is **dismissed**.

SD/-
(RAJESH RAI K)
JUDGE

GPG
List No.: 1 SI No.: 34