



CNR: KAHC010035752023

NC: 2026:KHC:54541
CRL.P No. 754 of 2023
C/W CRL.P No. 631 of 2023

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 754 OF 2023

C/W

CRIMINAL PETITION NO. 631 OF 2023

IN CRL.P No. 754/2023:

BETWEEN:

SRINIVASA REDDY
AGED ABOUT 53 YEARS
S/O LATE PILLA REDDY
R/O GONIGATTAPURA VILLAGE
SARJAPURA HOBLI
ANEKAL TALUK
BENGALURU - 562 125.

...PETITIONER

(BY SRI BRIJESH PATIL, ADV.)

AND:

1. STATE OF KARNATAKA BY
SARJAPURA POLICE
BENGALURU
REP. BY STATE PUBLIC PROSECUTOR
HIGH COURT COMPLEX
BANGALORE - 560 001.
2. Y.C. SANDEEP REDDY
AGED ABOUT 46 YEARS
S/O Y.C. RAMA REDDY
R/AT NO. 1010, 26TH MAIN
4TH BLOCK, JAYANAGARA
BENGALURU - 560 041.

...RESPONDENTS

(BY SRI RAHUL RAI K, HCGP FOR R-1;
SRI G.H. NAGARAJ, ADV., FOR R-2)

Digitally
signed by
NANDINI M S
Location:
HIGH COURT
OF
KARNATAKA



CNR: KAHC010035752023

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CRL.P No. 754 of 2023
C/W CRL.P No. 631 of 2023

THIS CRL.P IS FILED U/S.482 CR.P.C PRAYING TO QUASH THE ENTIRE PROCEEDINGS AGAINST THE PETITIONER REGISTERED IN C.C.NO.479/2019 (CR.NO.30/2017) BY THE SARJAPURA POLICE, BENGALURU FOR THE OFFENCE P/U/S 447, 341, 506, 34 OF IPC NOW THE CASE IS PENDING ON THE FILE OF PRINCIPAL CIVIL JUDGE AND J.M.F.C., ANEKAL, BENGALURU RURAL DISTRICT.

IN CRL.P NO. 631/2023:

BETWEEN:

THANISH KUMAR
AGED ABOUT 29 YEARS
S/O SRINIVAS REDDY
R/O GONIGATTAPURA VILLAGE
SARJAPURA HOBLI
ANEKAL TALUK
BENGALURU - 562 125.

...PETITIONER

(BY SRI BRIJESH PATIL, ADV.)

AND:

1. STATE OF KARNATAKA BY
SARJAPURA POLICE
BENGALURU, REP. BY STATE
PUBLIC PROSECUTOR
HIGH COURT COMPLEX
BANGALORE - 560 001.
2. Y.C. SANDEEP REDDY
AGED ABOUT 46 YEARS
S/O Y.C. RAMA REDDY
R/AT NO. 678, 17TH MAIN ROAD
6TH A CROSS, 3RD BLOCK
KORAMANGALA, BENGALURU - 560 034.

...RESPONDENTS

(BY SRI RAHUL RAI K,HCGP FOR R-1;
SRI V.K. SATHYA NARAYANA, ADV., FOR R-2)

THIS CRL.P IS FILED U/S.482 CR.P.C PRAYING TO QUASH THE ENTIRE PROCEEDINGS AGAINST THE PETITIONER REGISTERED IN C.C.NO.458/2019 (CR.NO.114/2018) BY THE SARJAPURA POLICE, BENGALURU FOR THE OFFENCE P/U/S.506,



CNR: KAHC010035752023

NC: 2026:KHC:54541
CRL.P No. 754 of 2023
C/W CRL.P No. 631 of 2023

504, 447, 34 OF IPC NOW THE CASE IS PENDING ON THE FILE OF THE HONOURABLE PRINCIPAL CIVIL JUDGE AND JMFC ANEKAL BENGALURU RURAL.

THESE PETITIONS, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

1. The dispute involved in these two petitions are between the same parties and therefore, these two petitions are heard together with the consent of learned counsel for the parties and disposed off by this common order.
2. Heard the learned counsel for the parties.
3. Accused No.1 in CC No.479/2019 pending before the Court of Principal Civil Judge and JMFC, Anekal, Bengaluru Rural District, arising out of Crime No.30/2017 registered by Sarjapura Police Station, Bengaluru, for the offences punishable under Sections 447, 341, 506 read with Section 34 of IPC, is before this Court in Crl.P.No.754/2023, with a prayer to quash the entire proceedings in the aforesaid case as against him.
4. Crl.P.No.631/2023 is filed by Thanish Kumar, who is the son of Srinivas Reddy - petitioner in Crl.P.No.754/2023, with a



CNR: KAHC010035752023

**NC: 2026:KHC:54541
CRL.P No. 754 of 2023
C/W CRL.P No. 631 of 2023**

prayer to quash the entire proceedings in CC No.458/2019 pending before the Court of Principal Civil Judge and JMFC, Anekal, Bengaluru Rural District, arising out of Crime No.114/2018 registered by Sarjapura Police Station, Bengaluru, for the offences punishable under Sections 506, 504, 447 read with Section 34 of IPC, as against him.

5. Facts stated in brief leading to filing of the above two petitions, are as follows:-

Property bearing Sy.No.76/1, situated at Gonighattapura Village, Sarjapura Hobli, Anekal Taluk, undisputedly belongs to Srinivasa Reddy, who is the petitioner in CrI.P.No.754/2023. Respondent No.2 claims that the said property was purchased by him under a registered Sale Deed dated 18.05.2016 for a valid sale consideration but subsequently his vendor has sold the very same property to one Rajashekar @ Rajashekar Munireddy under Sale Deed dated 06.06.2017.

FIR in Crime No.30/2017 is registered by Sarjapura Police Station, Bengaluru, for the aforesaid offences against Srinivasa Reddy and Rajashekara, who is the subsequent purchaser of



CNR: KAHC010035752023

NC: 2026:KHC:54541
CRL.P No. 754 of 2023
C/W CRL.P No. 631 of 2023

the said property with an allegation that on 28.01.2017, when the first informant and his family members were in the property in question, Srinivasa Reddy and Rajashekara, had trespassed to the said property, allegedly abused them and thereafter, criminally intimidated them. Similar allegation is found even in the FIR that was registered in Crime No.114/2018 by Sarjapura Police Station, Bengaluru, for the offences punishable under Sections 447, 504, 506 and 34 of IPC. Police after investigation have filed charge sheet in both the cases. Assailing the same, petitioners are before this Court.

6. During the course of arguments, it is brought to the notice of this Court that prior to registration of the present two cases, FIR was registered in Crime No.229/2017 by Sarjapura Police Station on the allegation that Srinivas Reddy had cheated the first informant herein by executing Sale Deed in respect of the aforesaid property bearing Sy.No.76/1, situated at Gonighattapura Village, Sarjapura Hobli, Anekal Taluk, in favour of one Rajashekar @ Rajashekar Munireddy under Sale Deed dated 06.06.2017 after having sold the very same property in favour of the first informant herein under a



CNR: KAHC010035752023

NC: 2026:KHC:54541
CRL.P No. 754 of 2023
C/W CRL.P No. 631 of 2023

registered Sale Deed dated 18.05.2016. In the said case, police after investigation have filed B final Report.

7. Suppressing the same, a separate private complaint was filed before the jurisdictional Court of Magistrate at Bengaluru by the first informant herein, which was referred to police for the purpose of investigation. Police after investigation had filed charge sheet in the said case and criminal case was registered in CC No.14745/2018 against Srinivas Reddy and his family members including Thanish Kumar, who is the petitioner in Crl.P.No.631/2023. Assailing the same, Srinivas Reddy and his family members, had approached this Court in WP No.29941/2018, which was allowed by the Co-ordinate Bench of this Court on 02.03.2026 and the entire proceedings in CC No.14745/2018 was quashed. It is not in dispute that B report filed in Crime No.229/2017 by Sarjapura Police Station, has not been questioned till date and the same has reached finality.

8. Material on record would go to show that respondent No.2 herein has already filed a suit before the jurisdictional Civil Court at Anekal in OS No.142/2017 against Srinivas Reddy



CNR: KAHC010035752023

NC: 2026:KHC:54541
CRL.P No. 754 of 2023
C/W CRL.P No. 631 of 2023

and also the subsequent purchaser of the property in question namely, Rajashekar @ Rajashekar Munireddy, seeking the relief of declaration of title and also consequential relief of permanent injunction. The said suit is pending consideration and the defendants, who have entered appearance in said suit have filed a detailed written statement and also raised a counter claim seeking cancellation of the Sale deed dated 18.05.2016 and 20.05.2016 under which Srinivas Reddy is claiming right over the property in question, alleging that the said Sale deeds were fraudulently executed by Srinivas Reddy in his favour by misusing the General Power of Attorney, which was executed in his favour. Therefore, at this stage, it cannot be said that respondent No.2 herein, is the absolute owner having right, title and interest over the aforesaid property bearing Sy.No.76/1, situated at Gonighattapura Village, Sarjapura Hobli, Anekal Taluk. His title in respect of the said property is yet to be declared in OS No.142/2017, which is filed by him before the jurisdictional Civil Court at Anekal. Therefore, the allegation now made that the petitioners herein have trespassed into the property in question becomes difficult to be



CNR: KAHC010035752023

NC: 2026:KHC:54541
CRL.P No. 754 of 2023
C/W CRL.P No. 631 of 2023

believed. More so, for the reason that undisputedly, Srinivas Reddy and his family members were the erstwhile owners of the property in question. Under the circumstances, pending adjudication of civil dispute, which is now pending in OS No.142/2017, if the impugned proceedings is allowed to be continued as against the petitioners herein, the same would amount to abuse of process of law. Therefore, I am of the opinion that the prayer made by the petitioners in these two petitions to quash the impugned proceedings as against them, needs to be granted. Accordingly, the following:-

ORDER

(i) The criminal petitions are ***allowed***

(ii) In CrI.P.No.754/2023

The entire proceedings in CC No.479/2019 pending before the Court of Principal Civil Judge and JMFC, Anekal, Bengaluru Rural District, arising out of Crime No.30/2017 registered by Sarjapura Police Station, Bengaluru, for the offences punishable under Sections 447, 341, 506 read with



CNR: KAHC010035752023

NC: 2026:KHC:54541
CRL.P No. 754 of 2023
C/W CRL.P No. 631 of 2023

Section 34 of IPC, is hereby quashed as against the petitioner herein.

(iii) In CrI.P.No.631/2023

The entire proceedings in CC No.458/2019 pending before the Court of Principal Civil Judge and JMFC, Anekal, Bengaluru Rural District, arising out of Crime No.114/2018 registered by Sarjapura Police Station, Bengaluru, for the offences punishable under Sections 506, 504, 447 read with Section 34 of IPC, is hereby quashed as against the petitioner herein.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE

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List No.: 2 SI No.: 2