



CNR: KAHC010064872022

NC: 2026:KHC:55048  
CRL.P No. 1339 of 2022

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 5<sup>TH</sup> DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE H.P.SANDESH

CRIMINAL PETITION NO.1339 OF 2022

BETWEEN:

UMASHANKAR M  
AGED ABOUT 39 YEARS  
S/O MUNIYAPPA M  
R/AT BHODANAHOSAHALLI VILLAGE  
SAMETHANAHALLI  
HOSKOTE TALUK-562114  
BENGALURU RURAL DISTRICT

...PETITIONER

(BY SRI. PRADEEP KUMAR R H, ADVOCATE)

AND:

1. STATE OF KARNATAKA  
BY THIRUMALASHETTAHALLI POLICE  
REP. BY STATE PUBLIC PROSECUTOR  
HIGH COURT BUILDING COMPLEX  
HIGH COURT OF KARNATAKA  
BENGALURU-560002
2. SHANTHAMMA  
W/O LATE VEERABHADRA REDDY  
AGED ABOUT 73 YEARS  
R/AT DODDADUNNASANDRA VILLAGE  
ANNUGONDANAHALLI HOBLI  
HOSAKOTE TALUK-562114  
BENGALURU RURAL DISTRICT

...RESPONDENTS

(BY SRI SUHAS GOWDA M, HCGP FOR R1;  
SRI KARTHIK V, ADVOCATE FOR R2)

Digitally signed  
by DEVIKA M  
Location: HIGH  
COURT OF  
KARNATAKA



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THIS CRL.P IS FILED U/S.482 OF CR.P.C PRAYING TO QUASH THE FIR REGISTERED IN CR.NO.75/2020 REGISTERED BY THE 1ST RESPONDENT AGAINST THE PETITIONER FOR THE ALLEGED OFFENCES P/U/S 417, 420, 464, 465, 467, 468, 471 R/W 34 OF IPC AGAINST THE PETITIONER AND ETC.

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

CORAM: HON'BLE MR. JUSTICE H.P.SANDESH

**ORAL ORDER**

This petition is filed praying this Court to quash the FIR registered in Cr.No.75/2020 for the offences punishable under Sections 417, 420, 464, 465, 467, 468, 471 read with Section 34 of IPC.

2. Heard the learned counsel appearing for the respective parties.

3. Having perused the contents of the complaint, it discloses that the complainant had purchased the property to the extent of 18 guntas from Doddachinnaiah who is the son of Chikkanagappa. It is not in dispute with regard to that the son of Chikkanagappa by name Muniyappa @ Chinnaiah had sold 1 acre 16 guntas of land in favour of Kummaiah and the said



Kummaiah, in turn, had sold the property to the extent of 1 acre 16 guntas in favour of Appanna Reddy on 14.10.1963. The specific allegation is made against the children of Appanna Reddy that all of them joined together in getting khatha in their favour in respect of the property which was purchased by the complainant to the extent of 18 guntas. So also, in the year 2016- 17, they have created a GPA in favour of the present petitioner without any right and thereafter even executed the sale deed in favour of the present petitioner. Hence, the action is sought against the children of Appanna Reddy who have been arrayed as accused Nos.1 to 4 as well as the present petitioner who has been arrayed as accused No.5 for the offences punishable under Sections 417, 420, 464, 465, 467, 468, 471 read with Section 34 of IPC.

4. The counsel appearing for the petitioner would submit that he had purchased the property from the children of Appanna Reddy and brought to notice of this Court the sale deed at Annexure-K. Having perused this Annexure-K, it is not in dispute that Appanna Reddy had purchased the property to the extent of 1 acre 16 guntas. Now, the dispute is in respect of



remaining 18 guntas of land is concerned which has been purchased by the complainant. The specific accusation is that accused Nos.1 to 4 have indulged in getting transfer of khatha of 18 guntas belongs to the complainant and in turn, colluding with the present petitioner, a document of GPA was created in his favour and thereafter sale deed was also executed. When there is a specific allegation in the complaint against this petitioner, the Court has to take note of contents of the complaint and matter has to be investigated by the Investigating Officer considering the contents of the complaint. When the complainant does disclose committing of the offences, the duty cast upon the Investigating Officer to unearth the truth in the light of the complaint allegations. When such being the case, the question of quashing of FIR does not arise. If the Court venture to quashing of FIR, it is nothing but preventing the domain of the Investigating Officer and Investigating Officer has to investigate and file either A-report or B-report. In view of the judgment of the Apex Court in the case of **DINESHBHAI CHANDUBHAI PATEL vs. STATE OF GUJARAT AND OTHERS** reported in **(2018) 3 SCC 104**, this



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Court does not want to quash the FIR and the same amounts to coming in the way of curbing of the right of the Investigating Officer. The matter has to be investigated and report has to be filed before the Court consequent upon the investigation. Hence, the petitioner has not made out the grounds to exercise the powers under Section 482 of Cr.P.C.

5. In view of the discussions made above, I pass the following:

**ORDER**

The petition is dismissed.

Sd/-  
**(H.P.SANDESH)**  
**JUDGE**

SN