



CNR: KAHC010094192024

NC: 2026:KHC:48479
CRL.P No. 1569 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. 1569 OF 2024

BETWEEN:

1. MOHAMMED IMRAN
S/O. ABDUL SALAM,
AGED ABOUT 44 YEARS,
R/AT AZAD NAGAR,
DAVANAGERE-577 002.
2. SHARFUNNISA
W/O. ABDUL JABBAR,
AGED ABOUT 78 YEARS,
R/O. BASHANAGAR,
DAVANAGERE-577 002.

...PETITIONERS

(BY SRI. CHAKRAVARTHY T.S, ADVOCATE)

AND:

1. STATE OF KARNATAKA BY
RURAL POLICE STATION,
DAVANAGERE DISTRICT,

REPRESENTED BY
STATE PUBLIC PROSECUTOR,
HIGH COURT BUILDINGS,
BANGALORE-560 001.
2. F. A. SHAIK
TAHSILDAR,
AGE NOT KNOWN TO THE PETITIONER

Digitally signed
by PANKAJA S
Location: HIGH
COURT OF
KARNATAKA



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OFFICE OF THE TAHSILDAR,
DAVANAGERE TALUK,
DAVANAGERE-577 002.

...RESPONDENTS

(BY SRI. MAHESH P, ADVOCATE FOR HCGP)

THIS CRL.P IS FILED U/S 482 OF CR.PC PRAYING TO QUASH THE ENTIRE PROCEEDING IN C.C.NO.955/2009 AGAINST THE PETITIONERS NO.1 AND 2 IN CR.NO.236/2000, DAVANAGERE RURAL P.S WHO ARE ACCUSED NO.9 AND 11 FOR THE OFFENCE P/U/S 419,468,471,420 OF IPC PENDING ON THE FILE OF THE HON'BLE J.M.F.C I COURT AT DAVANAGERE IS PRODUCE HERewith AND MARKED AS ANNEXURE-A.

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. to quash the proceedings against the petitioners/accused in C.C.No.955/2009, arising out of Crime No.236/2000 of Davangere Rural Police Station, for the offences punishable under Sections 468, 471, 419 and 420 of IPC, pending on the file of JMFC I Court, Davangere.

2. The brief facts of the case are, the petitioners along with other accused by impersonation and fabricating the documents, produced the same before the Sub-Registrar and



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got registered the land belonging to the Government in their names.

3. Learned counsel for the petitioners submits that the a split-up charge sheet was filed against the petitioners since they were absconding. The Trial Court after conducting trial against the other accused, passed the judgment of acquittal stating that the prosecution has failed to prove the case beyond reasonable doubt. As such, continuation of proceedings against the petitioners is sheer abuse of process of Court. Accordingly, he prays to allow the petition.

4. Learned HCGP opposed the said prayer and contended that since the petitioners have absconded, they are not entitled for the relief sought in the petition and there are serious allegations of fabrication of documents against them. Accordingly, he prays to dismiss the petition.

5. I have given my anxious consideration both on the submissions made by the learned counsel for the respective parties and the documents made available on record.



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6. As could be gathered from records, the Trial Court in C.C.No.446/2004 passed the judgment dated 05.06.2012 acquitting the co-accused therein on the ground that the prosecution has not recorded the statement of villagers. Further, the prosecution also failed to examine the investigation officer, who conducted the investigation. It is also observed by the Trial Court that the evidence of PW.2-Sub-Registrar does not corroborate with the case of prosecution. By placing reliance on the said judgment, the Co-ordinate Bench of this Court quashed the proceedings against accused No.31 in CrI.P.No.10631/2023 and accused Nos.2, 5, 12, 13, 17, 18, 29, 30 and 65 in CrI.P.No.9691/2024. Since the allegations against the petitioners are similar to that of the other accused, against whom the proceedings are quashed by the Co-ordinate Bench of this Court and also the accused, who have acquitted before the Trial Court, continuation of proceedings against the petitioners amounts to abuse of process of Court. In such circumstances, I am of the considered view that the petitioners have made out a case to quash the proceedings against them. Accordingly, I proceed to pass the following:



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ORDER

- i. The petition is ***allowed***.
- ii. The proceedings against the petitioners/accused Nos.9 and 11 in C.C.No.955/2009, arising out of Crime No.236/2000 of Davangere Rural Police, for the offences punishable under Sections 468, 471, 419 and 420 of IPC, pending on the file of JMFC-I Court of Davangere, is hereby quashed.

**SD/-
(RAJESH RAI K)
JUDGE**

HKV
List No.: 1 Sl No.: 53