



CNR: KAHC010239242019

NC: 2026:KHC:50791
CRL.P No. 5806 of 2019

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF SEPTEMBER, 2026

BEFORE

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

CRIMINAL PETITION NO.5806 OF 2019

BETWEEN:

1. MR. VENKATARAMANAPPA,
S/O NARAYANAPPA,
AGED ABOUT 73 YEARS,
RESIDING AT R.T.D, F.D.A NO.433,
MATHRUSHRI NILAYA,
BEHIND KANAKA COMPOUND,
M.V.LAYOUT, HOSKOTE,
BENGALURU-562114.

...PETITIONER

(BY SRI. MANOJ K., ADVOCATE FOR
SRI. MAHABALESHWAR CHITRIGEMATH AND
SRI SUDHIR B.S., ADVOCATES)

Digitally signed
by DEVIKA M

Location: HIGH
COURT OF
KARNATAKA

AND:

1. THE STATE OF KARNATAKA,
BY KANAKAPURA POLICE STATION,
KANAKAPURA,
RAMANAGARA DISTRICT-562117,
REPRESENTED BY STATE PUBLIC PROSECUTOR,
HIGH COURT BUILDING,
BENGALURU-560001.
2. MR. YOGANAND
THE TAHSILDAR
KANAKAPURA TALUK
KANAKAPURA-562117.

...RESPONDENTS

(BY SRI. SUHAS GOWDA M., HCGP FOR R1 AND R2)



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THIS CRIMINAL PETITION IS FILED UNDER SECTION 482 OF CR.P.C PRAYING TO QUASH ANNEXURE-B FIR FILED AGAINST THE PETITIONER IN CR.NO.146/2017, DATED 12.09.2017 BY THE 1ST RESPONDENT PENDING BEFORE PRINCIPAL CIVIL JUDGE (JR. DN) AND JMFC COURT AT KANAKAPURA, RAMANAGARA DISTRICT, FOR THE OFFENCES PUNISHABLE UNDER SECTIONS 381 AND 409 OF IPC.

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

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

ORAL ORDER

Heard the learned counsel for the petitioner and the learned High Court Government Pleader appearing for the respondents.

2. The prayer sought in the petition is to quash the FIR filed against the petitioner in Crime No.146/2017, for the offences punishable under Sections 381 and 409 of IPC. The allegation made against this petitioner is that he was in charge of the LRF records and the same was not found and hence, invoked the offences under Sections 381 and 409 of IPC. The specific allegations are made in the complaint that he was in charge of the LRF records and the same is missing and hence, FIR is registered. The Court has to take note of the contents of



the complaint, wherein specific allegations are made against this petitioner that he was in charge of the LRF records. When such allegation is made in the complaint, the matter requires to be investigated. The Apex Court in the case of **DINESHBHAI CHANDUBHAI PATEL v. THE STATE OF GUJARAT** reported in **2018 (3) SCC 104**, held that if the contents of the complaint discloses committing of an offence, the same has to be investigated by the Investigating Officer and the Investigating Officer has to unearth the truth and FIR cannot be quashed at the initial stage itself.

3. In the case on hand, when specific allegations are made against this petitioner that he was the custodian of the documents pertaining to the LRF records, the matter has to be investigated.

4. The learned counsel for the petitioner would vehemently contend that in the complaint, a reference was made regarding disposal of W.P.No.26167/2003 and the same was disposed of in 2009 and the matter was remanded to the Land Tribunal. The learned counsel would contend that when



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the order was passed in 2009, loss of records in 2003 does not arise and hence, it requires to be quashed.

5. The said submission of the learned counsel for the petitioner cannot be accepted. The matter was disposed of in 2009, but writ petition was filed in 2003 itself and allegations are also very specific that at that time, this petitioner was in custody of the said LRF documents. When such allegations are made, the matter has to be investigated. If the petitioner was not in charge of the records and he did not commit the offence as alleged, the Investigating officer is going to file the report to that effect. Hence, no ground is made out to quash the proceedings.

6. Accordingly, the petition is dismissed.

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

MD
List No.: 1 Sl No.: 25