



CNR: KAHC010279052022

NC: 2026:KHC:48578
WP No. 12616 of 2022

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 7TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE V SRISHANANDA

WRIT PETITION NO. 12616 OF 2022 (GM-RES)

BETWEEN:

SHAMEED HUSENSAB OLEKAR
@ SHAMEED OLEKAR
S/O. HUSENSAB OLEKAR,
AGED ABOUT 47 YEARS,
R/AT NO.9, 3RD CROSS,
HARSHA LAYOUT,
KENGARI,
BANGALORE - 560 060.

...PETITIONER

(BY SRI. PRAKASH M. PATIL, ADVOCATE)

AND:

1. STATE OF KARNATAKA
BY ITS HOME DEPARTMENT,
VIDHANA SOUDHA,
DR. B. R. AMBEDKAR VEEDHI,
BANGALORE - 560 001,
REPRESENTED BY ITS PRINCIPAL SECRETARY.
2. STATE OF KARNATAKA
C.E.N. CRIME POLICE STATION,
RAMANAGARA - 562 112.
BY ITS STATION HOUSE OFFICER.


Digitally
signed by R
MANJUNATHA
Location:
HIGH COURT
OF
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3. PANCHAYAT DEVELOPMENT OFFICER
MANCHANAYAKANAHALLI
BIDADI HOBLI
RAMANAGARA TALUK - 562 109.

...RESPONDENTS

(BY SMT. WAHEEDA M.M., HCGP)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA READ WITH SECTION 482 OF CR.P.C. PRAYING TO QUASH THE REGISTRATION OF FIR IN CRIME NO.158/2020 REGISTERED BY THE R-2 SO FAR AS THE PETITIONER AS ACCUSED NO.17 PENDING ON THE FILE OF PRINCIPAL CIVIL JUDGE AND JMFC RAMANGARA AT VIDE ANNEXURE-B ETC.

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

CORAM: HON'BLE MR. JUSTICE V SRISHANANDA

ORAL ORDER

1. Heard Sri. Prakash M. Patil, learned counsel for the petitioner and Smt. M.M. Waheeda, learned High Court Government Pleader.



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2. Petition is filed under Articles 226 and 227 of the Constitution of India read with Section 482 of the Code of Criminal Procedure with the following prayer:

a. issue a writ in the nature of certiorari or direction to quash the registration of FIR in crime No.158/2020 registered by the respondent No.2 so far as the petitioner as Accused No.17 pending on the file of Principal Civil Judge and JMFC Ramanagara at vide ANNEXURE B.

b. Grant such other relief deems fit under the circumstances of the case in the interest of justice of equity.

3. Facts in the nutshell which are utmost necessary for disposal of the present petition are as under:

3.1. A private complaint came to be filed before the Principal Civil Judge and JMFC, Ramanagara alleging the commission of the offence that ten 'E' Khata have been created by a person who had the access to the Computer



system in the Office of Manchanayakanahalli Grama Panchayat.

3.2. Complaint was lodged against unknown person and police after registering the case subsequent to the direction issued by the jurisdictional Magistrate under Section 165(3) of the Code of Criminal Procedure, registered a case in Crime No.158/2020 on 30.11.2020, by Ramanagar CEN Crime Police Station, for the offences punishable under Sections 66(C) and 66(D) of the Information Technology Act, 2008 and investigated the matter.

3.3. During the course of investigation, present petitioner has been shown as accused No.16.

4. Case of the petitioner before this Court is that he was suspended and at the time of the alleged making of E-khatha by usage of the computer system, petitioner was suspended and he was also in judicial custody for a period of three months. As such, he has no direct or



indirect access to the alleged crime and thus sought for quashing of the pending proceedings as continuation thereof would amount to abuse of process of law.

5. Per contra, Smt. Waheeda M.M., learned High Court Government Pleader would support the registration of the case and proceeding with the investigation.

6. Having heard the arguments of both sides, this Court perused the material on record meticulously.

7. Law in respect of quashing of a pending FIR is well settled. If the petitioner is innocent as is contented by him having regard to the fact that he was already suspended from the post of Panchayat Development Officer, Manchanayakanahalli Grama and he was in judicial custody for a period of three months; as such he had no access to the computer system so as to involve himself in making of E-khatha of ten persons, he can furnish those necessary details to the investigation officer by way of a



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statement and also placing necessary documents with the Investigation Officer.

8. If the petitioner furnishes such a statement supported by documents, Investigation Officer is bound to take into consideration and thereafter file appropriate report under Section 173 of the Code of Criminal Procedure.

9. Thus, it is too premature for this Court to accede to the request of the petitioner that he is totally innocent and he had no role in the alleged offences and false FIR is filed against him.

10. Moreover, it is in the complete arena of the Investigation Agency and this Court cannot hold mini trial to find out whether the petitioner is totally innocent or not. As such, it is too premature for this Court to form an opinion that continuation of the investigation would result in abuse of process of law.



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11. Reserving the liberty for the petitioner to challenge if any adverse report is filed against the petitioner, following Order is passed:

ORDER

Writ Petition stands ***dismissed***.

**Sd/-
(V SRISHANANDA)
JUDGE**

SNC
List No.: 1 Sl No.: 49