



CNR: KAHC010340992017

NC: 2026:KHC:48660
CRL.P No. 5409 of 2017

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 8TH DAY OF SEPTEMBER, 2026

BEFORE

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

CRIMINAL PETITION NO.5409 OF 2017

BETWEEN:

1. MISS. MINOTI BAHRI,
AGED ABOUT 50 YEARS,
NON EXECUTIVE DIRECTOR,
UNITECH LIMITED,
BASEMENT 6,
COMMUNITY CENTRE,
SAKET, NEW DELHI-110017.

...PETITIONER

(BY SRI. MOHAMMED MUJASSIM, ADVOCATE FOR
SRI VIDYASAGAR R., ADVOCATE)

AND:

Digitally signed
by DEVIKA M
Location: HIGH
COURT OF
KARNATAKA

1. THE STATE OF KARNATAKA,
BY DEPARTMENT OF REVENUE,
ROOM NO.514, 5TH FLOOR,
M.S.BUILDINGS,
BENGALURU-560001,
REPRESENTED BY PRINCIPAL SECRETARY.
2. THE TAHSILDAR,
TALUK OFFICE,
ATTIBELE HOBLI
BENGALURU URBAN DISTRICT
BENGALURU-561229.

...RESPONDENTS

(BY SRI. MOHAMMED AYUB ALI, ADDL. SPP)



CNR: KAHC010340992017

NC: 2026:KHC:48660
CRL.P No. 5409 of 2017

THIS CRIMINAL PETITION IS FILED UNDER SECTION 482 OF CR.P.C PRAYING TO QUASH THE ENTIRE PROCEEDINGS AGAINST THE PETITIONER IN LGC.NO.249/2016 (SUO-MOTO), PENDING ON THE FILE OF THE KARNATAKA LAND GRABBING PROHIBITION SPECIAL COURT, BENGALURU.

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 Additional SPP appearing for the respondents/State.

2. The proceedings is initiated against M/s. Unitech Limited Company. The learned counsel for the petitioner would submit that vide order dated 05.01.2017, based on the report of the Tahsildar, Manager/Managing Director of Unitech Limited Company has been arrayed as accused and he had encroached 27 guntas of land in Government tank in Sy.No.99 of Veerasandra Village, Attibele Hobli, Anekal Taluk. The Tahsildar with the assistance of his staff, evicted the said grabber on 07.04.2016 after sufficient notice to him. This fact, prima facie, shows that Unitech Limited Company grabbed 27 guntas of Government tank. There is sufficient material to show



that it has committed an offence under Section 3 of the Karnataka Land Grabbing Prohibition Act, 2011, which is punishable under Section 4(3) of the said Act. Hence, cognizance is taken and summons is issued to the Manager/Managing Director of Unitech Limited Company. The learned counsel for the accused also filed a memo furnishing the details of names and addresses of Board of Directors of Unitech Limited Company. The Land Grabbing Court issued summons by registered post to all the Board of Directors as per the particulars furnished by the counsel and also issued non-bailable warrant.

3. The learned counsel for the petitioner would submit that the petitioner is a non-executive director and question of initiating the proceedings against the petitioner does not arise and issuance of summons is also bad in law. The learned counsel would submit that when this petitioner is a non-executive director, the question of arraying her as an accused does not arise. The learned counsel in support of his argument that the petitioner is a non-executive director, produced the document before this Court that the petitioner is not dealing



with any of the affairs of the Company. When such being the case, she cannot be made as an accused.

4. Per contra, the learned Additional SPP appearing for the respondents/State would submit that, after having furnished the details by the Managing Director counsel, the Court has issued the summons.

5. Having perused the order sheet of the Land Grabbing Court, only summons is issued by the Land Grabbing Court based on the information furnished by the counsel appearing for the accused i.e., names and addresses of the Board of Directors of Unitech Limited Company, but no any separate order is passed by the Land Grabbing Court to array the petitioner as an accused and with regard to whether she is in charge of affairs of the Unitech Limited Company also, nothing is stated. When such being the case, it is a fit case to quash the proceedings against this petitioner, who is a non-executive director and she cannot be prosecuted, since she was not in charge of the affairs of the company.



CNR: KAHC010340992017

**NC: 2026:KHC:48660
CRL.P No. 5409 of 2017**

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

ORDER

The petition is allowed. The initiation of proceedings against this petitioner is quashed.

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

MD
List No.: 1 Sl No.: 9