



CNR: KAHC010342662023

NC: 2026:KHC:52340  
CRL.P No. 6688 of 2023

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**  
**DATED THIS THE 22<sup>ND</sup> DAY OF SEPTEMBER, 2026**  
**BEFORE**  
**THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY**  
**CRIMINAL PETITION NO. 6688 OF 2023**

**BETWEEN:**

SRI M.N. BALASUBRAMANYA  
S/O LATE M.L. NAGARAJU  
AGED ABOUT 55 YEARS  
RESIDING AT NO. 62/1  
19TH CROSS, RAMANUJA ROAD  
MYSURU - 570 004.

...PETITIONER

(BY SRI SRINIVASA D.C, ADV.)

**AND:**

1. STATE OF KARNATAKA  
BY BILLIKERE POLICE, MYSURU DISTRICT  
REPRESENTED BY THE STATE PUBLIC  
PROSECUTOR, DR. AMBEDKAR VEEDHI  
HIGH COURT BUILDINGS  
BENGALURU - 560 001.
2. SMT. BHARATI  
D/O. ASHOKA L.B.  
AGED ABOUT 42 YEARS  
RESIDING AT LALNDEVANAHALLI  
VILLAGE, K.R. NAGARA TALUK  
MYSURU DISTRICT - 571 602.

...RESPONDENTS

(BY SRI CHANNAPPA ERAPPA, HCGP FOR R-1;  
SRI HIRAN KRISHNAMURTHY, ADV., FOR R-2)

THIS CRL.P IS FILED U/S.482 CR.P.C PRAYING TO QUASH THE  
FIR IN CR.NO.112/2023 U/S 465, 468, 471, 420, 419 R/W 34 OF IPC  
ON THE FILE OF ADDITIONAL CIVIL JUDGE (JR.DN.) AND J.M.F.C.,  
HUSNUR REGISTERED BY THE RESPONDENT NO.1 BILIKERE POLICE,  
PENDING ON THE FILE OF ADDITIONAL CIVIL JUDGE (Jr.Dn.) AND

Digitally  
signed by  
NANDINI M S  
Location:  
HIGH COURT  
OF  
KARNATAKA



CNR: KAHC010342662023

NC: 2026:KHC:52340  
CRL.P No. 6688 of 2023

J.M.F.C., HUNSUR, IN SO FAR AS THE PETITIONER/ACCUSED NO.3 IS CONCERNED.

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

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

**ORAL ORDER**

1. Accused no.3 is before this Court in this petition filed under Section 482 of Cr.PC with a prayer to quash the entire proceedings in Crime No.112/2023 registered by Bilikere Police Station, Mysuru District, for the offences punishable under Sections 465, 468, 471, 420, 419 read with 34 IPC, pending on the file of the Addl. Civil Judge & JMFC, Hunsuru.

2. Heard the learned Counsel for the parties.

3. FIR in Crime No.112/2023 was registered by Bilikere Police Station, Mysuru District, for the aforesaid offences against Shivakumar.S. and three others based on the first information dated 19.05.2023 received from Bharathi W/o Ashoka. Petitioner who is arrayed as accused no.3 in the FIR is a practicing advocate and notary at Hunsuru who allegedly had drafted the partition deed in question dated 05.01.2023 and also presented the same for registration.



CNR: KAHC010342662023

**NC: 2026:KHC:52340**  
**CRL.P No. 6688 of 2023**

4. The allegation in the first information is that first informant, who is the owner of the property which is the subject matter of the partition deed dated 05.01.2023, was impersonated before the Sub-Registrar by accused no.4 - Nethravathi. Assailing the aforesaid FIR, accused no.3 is before this Court.

5. Learned Counsel for the petitioner having reiterated the grounds urged in the petition, submits that the allegations found in the first information are not sufficient to attract the alleged offences as against the petitioner who is a practicing advocate and Notary at Hunsuru. There is no material or allegation to prima facie show that petitioner was aware that, accused no.4 had impersonated the first informant. Accordingly, he prays to allow the petition.

6. Per contra, learned HCGP and the learned Counsel for respondent no.2 who have opposed the petition, submit that investigation of the case is still not completed.



**CNR: KAHC010342662023**

7. Perusal of the material on record would go to show that the first informant who claims to be the owner of the property which is the subject matter of the aforesaid partition deed, has already filed a suit before the jurisdictional Civil Court at Hunsuru against accused nos.1 & 2 named in the FIR with a prayer for declaring that the aforesaid partition deed is not binding on her rights and title over the property which is the subject matter of the aforesaid partition deed.

8. As rightly contended by the learned Counsel for the petitioner, there is absolutely no material to prima facie show that petitioner who is a practicing advocate and notary at Hunsuru, had conspired with accused nos.1, 2 & 4 for the purpose of execution and registration of the alleged fraudulent partition deed. It appears that parties who had approached the petitioner had presented all documents including the identity card of accused no.4 - Nethravathi who allegedly has impersonated the first informant and only after verifying the documents, the petitioner had drafted the partition deed, and thereafter presented the same for registration. In the absence of prima facie material as against the petitioner for the alleged



CNR: KAHC010342662023

**NC: 2026:KHC:52340**  
**CRL.P No. 6688 of 2023**

offences, continuation of the impugned criminal proceedings as against him would amount to abuse of process of law and the same will also cause untold hardship and embarrassment to him.

9. This Court on 04.09.2023, has stayed further proceedings in the impugned criminal case as against the petitioner herein and the said interim order is operating till date. Considering the aforesaid aspects of the matter, I am of the opinion that this is a fit case, wherein this Court needs to exercise its inherent powers to secure ends of justice. Accordingly, the following order:

10. Petition is allowed. The entire proceedings in Crime No.112/2023 registered by Bilikere Police Station, Mysuru District, for the offences punishable under Sections 465, 468, 471, 420, 419 read with 34 IPC, pending on the file of the Addl. Civil Judge & JMFC, Hunsuru, as against the petitioner herein, stands quashed.

**Sd/-**  
**(S VISHWAJITH SHETTY)**  
**JUDGE**

KK