



CNR: KAHC010343372023

NC: 2026:KHC:48956
WP No. 14671 of 2023

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 8TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE V SRISHANANDA

WRIT PETITION NO. 14671 OF 2023 (GM-RES)

BETWEEN:

SHRI G. RAJKUMAR
AGED ABOUT 48 YEARS
S/O R GOPINATH
WORKING AT NO.41 MANTRI HOUSE
VITTAL MALLYA ROAD
BANGALORE - 560 001

...PETITIONER

(BY SRI. N. ANANTHA PAI, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA BY
MADANAYAKANA HALLI POLICE STATION
NELAMANGALA
REPRESENTED BY HCGP
HIGH COURT OF KARNATAKA
BANGALORE - 560 001
2. MR. MANJESH
S/O LATE SHRI NINGE GOWDA
AGED ABOUT 39 YEARS
RESIDING AT 202/1, 4TH CROSS 1ST MAIN
MANJUNATH NAGAR
BANGALORE

...RESPONDENTS

(BY SMT. WAHEEDA M.M., HCGP FOR R1
R2 - SERVED)


Digitally
signed by R
MANJUNATHA
Location:
HIGH COURT
OF
KARNATAKA



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THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA READ WITH SECTION 482 OF CR.P.C. PRAYING TO QUASHING THE COMPLAINT AND FIR DATED 03/11/2022 IN CRIME NO.521/2022 OF THE RESPONDENT MADANAYAKANAHALLI POLICE STATION IN SO FAR AS IT PURPORTS TO ARRAIGN THE PRESENT PETITIONER AS ACCUSED (ACCUSED NO.10) FOR THE OFFENCES PUNISHABLE UNDER SECTIONS 465, 468, 471, 420, 504, 506 AND 149 OF IPC PENDING ON THE FILE OF HONBLE ADDL CIVIL JUDGE AND JMFC (JR DIV) NELAMANGALA AND THE RESULTANT INVESTIGATION (VIDE ANNEXURE A-B) TO THE PETITION.

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

CORAM: HON'BLE MR. JUSTICE V SRISHANANDA

ORAL ORDER

1. Heard Sri. Anantha Pai, learned counsel for the petitioner and Smt. Waheeda, learned High Court Government Pleader for respondent No.1.

2. Accused No.10 in Crime No.521/2022 has filed the present petition under Articles 226 and 227 of the



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Constitution of India read with Section 482 of the Code of Criminal Procedure with the following prayer:

(a). Issue an appropriate Writ or Order quashing the complaint and FIR dated 03-11-2022 in Crime No. 521/2022 of the Respondent Madanayakanahalli Police Station in so far as it purports to arraign the present Petitioner as accused (Accused No. 10) for the offences punishable under Section 465, 468, 471, 420, 504, 506 and 149 of IPC pending on the file of Hon'ble Addl. Civil Judge and JMFC (Jr. Div) Nelamangala and the resultant investigation (vide Annexure A-B to the Petition)

3. Facts of the case which are utmost necessary for disposal of the present petitioner as under :

3.1. A complaint came to be lodged by the respondent No.2 Manjesh that he has been cheated by the present petitioner along with fourteen other accused persons by concocting the documents as if that they are



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the owners of the property of which a site bearing No.38, measuring 30 feet x 40 feet was sold.

3.2. Complainant submits that he is the owner of the property having purchased the same under registered sale deed from its erstwhile owner.

3.3. It is alleged that the petitioner along with the other accused persons have concocted the documents to take away the valuable rights of the complainant and therefore he lodged the complaint.

3.4. Police after receipt of the complaint, registered the case in Crime No.521/2022 of Madanayakanahalli Police Station for the offence punishable under Sections 465, 468, 471, 420, 504, 506 and 149 of the Indian Penal Code.

4. Petitioner after obtaining the bail from the competent Court has approached this Court with aforesaid prayers.



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5. Counsel for the petitioner Sri Anantha Pai would contend that the petitioner is no way connected with the alleged fraud. He is neither the signatory nor witness to any one of the documents. Under such circumstances, only on the stray sentence found in the complaint, registration of the FIR against the has resulted in abuse of process of law and thus sought for quashing the pending criminal complaint.

6. Per contra, Smt. Waheeda M.M., learned High Court Government Pleader would contend that mere registration of the FIR especially when there is a written complaint would not result in abuse of process of law and matter would be investigated and if no role is owned as against the petitioner by the Investigation Agency, he would be left out from the charge sheet.

7. She would further contend that it is too premature for this Court to arrive at a conclusion that the



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petitioner is totally innocent and thus sought for dismissal of the petition.

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

9. On such perusal of the material on record, name of the petitioner is found in the written complaint itself. Therefore, police were required to register the case and accordingly they have registered the case and are investigating the matter.

10. If it is the case of the petitioner that he is totally innocent and no way connected with the alleged fraud, he can furnish such material information to the Investigation Agency which shall be taken note of by the Investigation Officer and appropriate report shall be filed as is contemplated under Section 173 of the Code of Criminal Procedure.



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11. If after such furnishing the necessary information also the Investigation Agency files an adverse report against the petitioner, he can always challenge the same in accordance with law.

12. With that liberty, following Order:

ORDER

Writ Petition is ***dismissed***.

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

SNC
List No.: 1 Sl No.: 48