



CNR: KAHC010360522022

NC: 2026:KHC:49080
CRL.P No. 7509 of 2022

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 3RD DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE RAVI V HOSMANI

CRIMINAL PETITION NO. 7509 OF 2022

BETWEEN:

1. SMT.PRIYANKA N.,
D/O NARAYANAPPA N.,
AGED ABOUT 35 YEARS
R/AT DODNAHALLI VILLAGE
HUTHUR HOBLI,
KOLAR TALUK
KOLAR - 563 101.
2. SMT.GOWRAMMA
W/O NARAYANAPPA N.,
AGED ABOUT 75 YEARS
R/AT DODNAHALLI VILLAGE
HUTHUR HOBLI,
KOLAR TALUK
KOLAR - 563 101.
3. SMT.YASHODA D N.,
W/O V R SRIDHAR
D/O NARAYANAPPA N.,
AGED ABOUT 48 YEARS
R/AT DODNAHALLI VILLAGE
HUTHUR HOBLI,
KOLAR TALUK
KOLAR - 563 101.
4. SRI PRAMOD KUMAR D N.,
S/O. NARAYANAPPA N.,
AGED ABOUT 32 YEARS

Digitally signed
by ANUSHA V
Location: High
Court of
Karnataka



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R/AT DODNAHALLI VILLAGE
HUTHUR HOBLI,
KOLAR TALUK
KOLAR - 563 101.

...PETITIONERS

(BY SRI HITESH GOWDA B.J., ADVOCATE FOR
SRI ABHISHEK K., ADVOCATE)

AND:

1. STATE OF KARNATAKA
BY KOLAR TOWN POLICE STATION
REP BY STATE PUBLIC PROSECUTOR
HIGH COURT BUILDINGS,
BENGALURU - 560 001.
2. SMT.JAYAMMA
D/O LATE SHAMANNA
AGED ABOUT 66 YEARS
R/AT BYLAHALLI VILLAGE
HOLUR HOBLI
KOLAR - 563 126.

...RESPONDENTS

(BY SMT.SOWMYA R., HCGP FOR R1;
SRI B.RAVINDRA, ADVOCATE FOR R2)

THIS CRL.P IS FILED U/S.482 CR.P.C PRAYING TO
QUASH THE FIR AND COMPLAINT IN CR.NO.95/2022
REGISTERED BY KOLAR TOWN POLICE PENDING ON THE FILE
OF THE HONBLE PLR.CIVIL JUDGE (SR.DN) AN C.J.M COURT AT
KOLAR FOR THE OFFENCES P/U/S 419, 420, 465, 468, 471,
120B OF IPC.



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THIS PETITION, COMING ON FOR *HEARING ON I.A.*, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE RAVI V HOSMANI

ORAL ORDER

Challenging registration of FIR and complaint in Crime no.95/2022 by Kolar Town Police Station for offences punishable under Sections 419, 420, 465, 468, 471 and 120B of Indian Penal Code, 1860 (**IPC**), presently stated to be pending on file of Prl. Civil Judge (Sr.Dn.) and Chief Judicial Magistrate Court at Kolar, this petition is filed.

2. Sri Hitesh Gowda B.J., learned counsel appearing for Sri Abhishek K., Advocate for petitioners submits that petitioners were arraigned as accused no.1 to 4 on a complaint dated 23.06.2022 filed by respondent no.2 herein, alleging that land bearing Sy.no.1/1 measuring 1 acre 18 guntas situated at Charaladinne village, Huthur Hobli, Kolar taluk, belonged to the grandfather of the complainant Byrappa bin Muneppa, as his self-acquired property. That name of Byrappa was appearing in revenue records along with Narayanappa bin Nallappa. On 20.05.1969, Byrappa sold an extent of 1 acre in favour of



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Chikkanallappa S/o. late Ramanna. Since said date, Chikkanallappa and his progenies were in possession. But, name of Byrappa had continued in revenue records. It was stated that said Byrappa died on 05.12.2007 alleging that accused had conspired together and by presenting some other person as Byrappa before Sub-Registrar got registered a sale deed on 20.08.2019 in respect of 1 acre 18 guntas of land and execution of sale deed in such manner amounted to offences, sought action. Based on said complaint, Crime no.95/2022 was registered by Kolar Town Police Station for offences punishable under Sections 419, 420, 465, 468, 471 and 120B of IPC. Assailing same, this petition was filed.

3. At outset, it was submitted that complainant lacked *locus standi* to file complaint. Even as per complaint, Byrappa did not retain title with regard to property in question having executed registered sale deed in favour of Chikkanallappa on 20.05.1969. Complainant who claims to be grand daughter of Late Byrappa bin Muneppa would not have *locus standi* or interest with regard to land in question as in case of



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fraud/cheating under sale deed, aggrieved person would be purchaser. Therefore, sought for quashing.

4. Smt.Sowmya, learned HCGP for respondent-State opposed petition. It was submitted that contentions urged by petitioner would be matter for investigation, since petitioners had obtained an interim order against matter for investigation and sought for dismissal of petition.

5. Sri B.Ravindra, learned counsel for respondent no.2- complainant also opposed petition. It was submitted that complainant was aggrieved by act of accused in fraudulently executing sale deeds that too by presenting some other person as her grandfather, after his death, which would be serious and grave offence, and therefore, registration of complaint was justified. Alternatively, it was submitted that liberty may be reserved to aggrieved persons to file complaint. On above grounds, sought for dismissal of petition.

6. Heard learned counsel and perused material on record.



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7. This petition for quashing of FIR is filed by accused no.1 to 4. Main grounds of challenge is lack of *locus standi* of complainant to file complaint. As per complaint, complainant is grand daughter of Byrappa. Incident complained is execution of sale deed on 20.08.2019, by impersonating her grandfather Byrappa as seller.

8. Hon'ble Supreme Court in case of ***Mohammed Ibrahim & Ors. v. State of Bihar & Another*** reported in ***2009(8) SCC 751*** has held in para 23 as follows-

"23. When we say that execution of a sale deed by a person, purporting to convey a property which is not his, as his property, is not making a false document and therefore not forgery, we should not be understood as holding that such an act can never be a criminal offence. If a person sells a property knowing that it does not belong to him, and thereby defrauds the person who purchased the property, the person defrauded, that is the purchaser, may complain that the vendor committed the fraudulent act of cheating. But a third party who is not the purchaser under the deed may not be able to make such complaint."

9. It is, thus, clarified that a third party, who is not purchaser under deed may not be able to make such complaint. As such, complainant herein would lack *locus standi*.



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10. Consequently, petition would succeed, proceedings in Crime no.95/2022 registered by Kolar Town Police Station for offences punishable under Sections 419, 420, 465, 468, 471 and 120B of IPC pending on file of Prl. Civil Judge (Sr.Dn.) and Chief Judicial Magistrate Court at Kolar, are quashed. However, quashing of FIR would not bar investigation or initiation of proceedings in accordance with law.

11. In view of disposal of petition, pending application, if any, is dismissed as unnecessary.

**Sd/-
(RAVI V HOSMANI)
JUDGE**