



CNR: KAHC010382512019

NC: 2026:KHC:49945
CRL.P No. 4146 of 2019

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 15TH DAY OF SEPTEMBER, 2026

BEFORE

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

CRIMINAL PETITION NO.4146 OF 2019

BETWEEN:

1. SRI. RUDREGOWDA BABAGOWDA PATIL,
S/O. BAGOWDA PATIL,
AGED ABOUT 40 YEARS,
GOWDARA ONI,
BASAVESHWARA TEMPLE,
AIGALI GRAMA, ATHANI TALUK,
BELAGAVI DISTRICT.

...PETITIONER

(BY SRI. B.M.SIDDAPPA, ADVOCATE FOR
SRI. BASAVARAJ T., ADVOCATE)

AND:

1. STATE OF KARNATAKA,
BY ULSOOR GATE POLICE STATION,
REP. BY ITS STATE PUBLIC PROSECUTOR,
HIGH COURT BUILDING,
BENGALURU-560001.

...RESPONDENT

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

THIS CRIMINAL PETITION IS FILED UNDER SECTION 482
OF CR.P.C PRAYING TO SET ASIDE THE ORDER PASSED BY THE
I ADDL.C.M.M., BENGALURU IN C.C.NO.22393/2008 DATED
20.05.2017 AND THE ORDER PASSED BY THE LXV ADDITIONAL
CITY CIVIL AND SESSIONS JUDGE, BENGALURU, IN

Digitally signed
by DEVIKA M
Location: HIGH
COURT OF
KARNATAKA



NC: 2026:KHC:49945
CRL.P No. 4146 of 2019

CNR: KAHC010382512019

CRL.RP.NO.486/2017 DATED 25.04.2019 BY ALLOWING THIS CRIMINAL PETITION.

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 respondent/State.

2. This petition is filed under Section 482 of Cr.P.C. to quash the order dated 20.05.2017 passed by the Trial Court rejecting the application filed under Section 239 of Cr.P.C., wherein an allegation is made against this petitioner that he had indulged in committing an offence under Sections 468, 471, 472, 420, 120B read with 34 of IPC. The Trial Court comes to the conclusion that it is a matter of trial, since there is a specific allegation and also the Investigating Officer has submitted the report given by the Deputy Director (Administration) of Public Education Society, Chikkodi, (Belgavi North), dated 24.06.2008. In



CNR: KAHC010382512019

the said report the authority has mentioned that 7th standard marks card submitted by accused No.1 pertaining to the year 1991-92 is not genuine one. Having taken note of the report, the Trial Court comes to the conclusion that it is a matter of trial and the accused has not made out any grounds for discharge.

3. The Revisional Court also having reconsidered the grounds which have been urged in the revision, comes to the conclusion in paragraph No.6 that there is a manipulation and insertion of the name of the petitioner in the school records and hence, the petitioner has not made out any ground.

4. The learned counsel for the petitioner would vehemently contend that though such report is filed, not cited any witnesses and hence, this Court has to exercise the powers under Section 482 of Cr.P.C.

5. Per contra, the learned Additional SPP appearing for the respondent/State would submit that an



CNR: KAHC010382512019

NC: 2026:KHC:49945
CRL.P No. 4146 of 2019

allegation of creation of document is made and made use of those documents for the purpose of employment and hence, the question of discharge does not arise.

6. Having heard the learned counsel for the petitioner and the learned Additional SPP appearing for the respondent/State and also considering the reasoning given by the Trial Court, the Trial Court has rightly come to the conclusion that the matter requires trial, since there is a specific allegation of creation of document and making use of the said document for the purpose of employment. The Revisional Court also having considered the document, comes to the conclusion that the Trial Court has not committed any error and matter requires a full-fledged trial regarding forgery as well as using of the said document. When such reasoning is given, I do not find any ground to exercise the powers under Section 482 of Cr.P.C. and the very contention of the learned counsel for the petitioner that no witnesses is cited cannot be a ground when the documentary evidence is placed before



**NC: 2026:KHC:49945
CRL.P No. 4146 of 2019**

the Court, particularly the report of the Deputy Director of
(Administration) Public Education Society, Chikkodi,
(Belgavi North).

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

ORDER

The petition is dismissed.

However, the Trial Court is directed to dispose
of the matter expeditiously.

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

MD
List No.: 1 Sl No.: 14