



CNR: KAHC010392152019

NC: 2026:KHC:48250
CRL.P No. 4536 of 2019

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 7TH DAY OF SEPTEMBER, 2026

BEFORE

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

CRIMINAL PETITION NO.4536 OF 2019

BETWEEN:

1. SRI G SRINIVAS
S/O SRI K GOVINDAN
AGED ABOUT 48 YEARS
2. SMT. M KOKILA
W/O SRI G SRINIVAS
AGED ABOUT 43 YEARS

BOTH ARE R/O NO.562
1ST "D" MAIN ROAD
2ND STAGE, 9TH BLOCK
NAGARABHAVI
BENGALURU-560072

Digitally signed
by DEVIKA M
Location: HIGH
COURT OF
KARNATAKA

(BY SRI. RAMESH K R, ADVOCATE)

...PETITIONERS

AND:

1. STATE OF KARNATAKA
BY ANNAPOORNESHWARINAGAR POLICE
BENGALURU
BY STATE PUBLIC PROSECUTOR
HIGH COURT OF KARNATAKA
BENGALURU-560001
2. MR CHELLAN SWAMY RAJU
S/O LATE C H VENKATA RATHNAM



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AGED ABOUT 64 YEARS
R/O NO.6-A, M.C.H.S. COLONY
1ST 'C' MAIN, 14TH 'A' CROSS
H.S.R. LAYOUT, 6TH SECTOR
BENGALURU-560102

...RESPONDENTS

(BY SRI MOHAMMED AYUB ALI, ADDL. SPP FOR R1;
SRI NAGENDRA KUMAR K, ADVOCATE FOR R2)

THIS CRL.P IS FILED U/S.482 OF CR.P.C PRAYING TO QUASH THE FIR REGISTERED BY THE 1ST RESPONDENT POLICE AGAINST THE PETITIONERS ON THE BASIS OF THE COMPLAINT GIVEN BY THE 2ND RESPONDENT IN CR.NO.155/2019 OF ANNAPOOREHWARINAGAR P.S., FOR THE OFFENCE P/U/S 420, 468, 471, 506, 120B R/W 149 OF IPC AT ANNEXURE-K AND ETC.

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

CORAM: HON'BLE MR. JUSTICE H.P.SANDESH

ORAL ORDER

This petition is filed by accused Nos.7 and 8 praying this Court to quash the FIR registered by the first respondent police against them on the basis of the complaint given by the second respondent in Cr.No.155/2019 for the offences punishable under Sections 420, 468, 471, 506, 120B read with 149 of IPC.



2. This matter is listed for admission. Heard the learned counsel appearing for the petitioners, the learned Additional SPP appearing for respondent No.1 and the learned counsel appearing for respondent No.2.

3. The very case of the petitioners before this Court is that they have purchased the schedule property vide sale deed dated 06.09.2018 and they were not aware of any forgery or impersonation or obtaining any consent deed or part of the gift deed. The petitioners have invested the money and purchased the property. Thus, ingredients of offences punishable under Sections 420, 468, 471, 506, 120B will not attract against the petitioners herein.

4. The learned Additional SPP appearing for the State would submit that there was a stay and hence, they could not able to continue the investigation. The very submission made by the learned Additional SPP cannot be accepted for the reason that the stay is granted only in respect of these petitioners are concerned as they have



purchased the property by paying the sale consideration and no stay in respect of others.

5. The counsel appearing for the complainant/respondent No.2 would submit that these petitioners are also the beneficiaries. But here, it is not the question of beneficiary. The fact is that they have purchased the property by paying the sale consideration.

6. If the previous owners have indulged in an act of cheating, forgery, creation of GPA and so also while getting the the consent deed and obtaining the gift deed, the criminal case is in respect of other accused persons and not in respect of these petitioners. This Court also taken note that stay is granted considering the sale deed which was obtained in the year 2018. Having taken note of the factual aspects of the case, it discloses that if there is any forgery, cheating and making use of the forged document, it is left to the Investigating Officer to continue the investigation in respect of other accused persons and not in respect of these petitioners.



7. However, these petitioners are directed to furnish the documents, if any, which is in their custody like GPA, consent deed and any other document of title to the police. If there is an allegation of forgery, these petitioners are directed to assist the Investigating Authority to continue the investigation for the offence of forgery, cheating and making use of those documents in the respect of other accused are concerned. Having considered the dispute involved between the parties, continuation of the proceedings against these petitioners does not arise and the same amounts to abuse of process. If any role is played during the course of further investigation in the matter is found against the petitioners, liberty is given to the IO to take a decision while filing the charge sheet against the other accused is concerned as well as these petitioners. With that liberty, this petition is allowed. Registration of the FIR against these petitioners is quashed.

8. This observation shall not influence the Trial Court in considering the civil suit between the parties.



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9. The petitioners are also given liberty to proceed against the original owners if any fraud is committed against them in executing the sale deed.

10. In view of disposal of the main petition, I.A. if any, does not survive for consideration and the same stands disposed of.

Sd/-
(H.P.SANDESH)
JUDGE

SN