



CNR: KAHC010600082026

NC: 2026:KHC:47471
CRL.P No. 13293 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.NAGAPRASANNA

CRIMINAL PETITION NO. 13293 OF 2026

BETWEEN:

1. SRI ADKA SHRINIVAS RAO,
S/O LATE SRI.A RAGAVENDRA RAO,
AGED ABOUT 50 YEARS,
R/AT 4-5-517, "SHRINIVAS" JAIL ROAD,
KODIYAL BAIL,
MANGALURU-575003.
2. SMT. VIJAYALAKSHMI RAGAVENDRA RAO,
W/O. LATE SRI.A.RAGAVENDRA RAO,
AGED ABOUT 82 YEARS,
R/AT 4-5-517, "SHRINIVAS" JAIL ROAD,
KODIYAL BAIL,
MANGALURU-575003.
3. SMT. PADMINI KUMAR,
W/O. SRI. UDAY KUMAR MAIYYA,
AGED ABOUT 60 YEARS,
R/AT 1ST MAIN ROAD,
8TH BLOCK, KORMANGALA,
BENGALURU-560095.

...PETITIONERS

(BY SRI. RAKESH BHATT, ADVOCATE)

AND:

1. STATE OF KARNATAKA,
BY SURATHKAL POLICE STATION,
REPRESENTED BY THE

Digitally signed
by PADMAVATHI
B K
Location: High
Court of
Karnataka



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STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
BENGALURU 560001.

2. SRI. N.G. PRASAD,
S/O LATE N. GUNDAPPA,
AGED ABOUT 49 YEARS,
THE REVENUE INSPECTOR,
SURATHKAL HOBLI,
MANGALURU TALUK-575015.

...RESPONDENTS

(BY SMT.DEEPTHI ALVA, HCGP FOR R1 AND R2)

THIS CRL.P IS FILED U/S 482 CR.PC (FILED U/S 528 BNSS) PRAYING TO QUASH THE FIR NO.24/2025 REGISTERED ON 17.03.2025 FOR OFFENCE P/U/S 192A OF THE KARNATAKA LAND REVENUE ACT, 1964 BY RESPONDENT NO.1 (ANNEXURE-A) COMPLAINT GIVEN BY RESPONDENT NO.2 DATED 17.03.2025 (ANNEUXER-A1) IN RESPECT OF PETITIONERS AND ETC.

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

CORAM: **HON'BLE MR. JUSTICE M.NAGAPRASANNA**

ORAL ORDER

The petitioners are before the Court seeking the following prayers:

"a) Quash the FIR No.0024/2025 registered on 17.03.2025 for offence punishable under the Section 192-A of the Karnataka Land Revenue Act, 1964 by Respondent No.1 (**Annexure-A**) Complaint given by



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Respondent No.2 dated 17.03.2025 (**Annexure A1**) in respect of Petitioners.

b) Quash the Charge sheet filed by the Respondent No.1 in C.C 4835/2025 pending before JMFC II Mangaluru (**Annexure B**) in respect of Petitioners,

c) Pass such other order as this Hon'ble court deems fit in the interest of justice."

2. Heard Sri.Rakesh Bhatt, learned counsel appearing for the petitioners, Smt.Deepthi Alva, learned HCGP appearing for the respondents and have perused the material on record.

3. The offence is the one punishable under Section 192A of the Karnataka Land Revenue Act, 1964. Learned counsel for the petitioners would demonstrate that there is no notice issued, prior to the initiation of the proceedings under Section 192A of the Act, which issue stands completely answered by the judgment rendered by the Coordinate Bench of this Court in the case **SMT. LALITHA SASTRY vs. STATE OF KARNATAKA**, reported in **ILR 2008 KAR 4520**, wherein it is held as follows:

"....

4. From the aforesaid circular it is clear the Government is now convinced that an opportunity should



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be given to all those alleged encroachers of Government land before any proceedings are initiated under Section 192 A of the Act. **In fact it stipulates a procedure under which a show cause notice is to be given calling upon those alleged encroachers to file their objections within 15 days. If no objections are received authorities are called upon to visit the spot, conduct a Mahazar in the presence of the villagers, obtain their signatures and thereafter to initiate criminal proceedings if they are satisfied that there is encroachment. In the event of alleged encroachers producing documents to examine the same and only in the event of the said documents are found to be fabricated or duplicate, to initiate proceedings under Section 192A of the Act. In fact the said procedure contemplated by the Government satisfy the requirement of principles of natural justice, an opportunity is given to these persons to realise whether they have occupied a Government land and if they are convinced to surrender possession to avoid criminal prosecution. That would meet the ends of justice. In that view of the matter, as the criminal prosecution is launched against all these petitioners without affording an opportunity to have their say and in the light of the circular which is passed by the Government, these proceedings cannot be sustained.**

5. In W.P. Nos. 3969/2007, 1023/2008 and 3550/2008 the petitioners have also challenged the constitutional validity of the said circular. However, for the time being they submit they would not press the said point. Therefore, the constitutional validity of the said provision is not considered.

6. Hence, I pass the following order:—

(a) Writ Petitions are allowed.

(b) The impugned orders and proceedings are hereby quashed.

(c) Liberty is reserved to the State or its authorities to comply with the requirement as contemplated in



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the circular before initiating any action against the petitioners if need arise.

(d) All the contentions urged in the Writ Petitions are kept open to be adjudicated if and when occasion arises.

(Emphasis supplied)

4. In the light of the issue stands completely answered and for the reasons aforementioned, the following:

ORDER

[I] Petition is **allowed**

[II] FIR No.24/2025 registered on 17.03.2025 for offence punishable under the Section 192-A of the Karnataka Land Revenue Act, 1964 by Respondent No.1, complaint given by Respondent No.2 dated 17.03.2025, stands quashed *qua* the petitioners.

[III] Charge sheet filed by the Respondent No.1 in C.C 4835/2025 pending before JMFC II Mangaluru, stands quashed *qua* the petitioners.

[IV] The quashment of the said complaint, FIR and charge sheet, will not come in the way of the State



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initiating the proceedings, following the law as
observed in the course of the order.

Sd/-
(M.NAGAPRASANNA)
JUDGE

CBC
List No.: 4 SI No.: 20