HC-KAR

NC: 2026:KHC:59697
CRL.P No. 2562 of 2021

CNR: KAHC010129662021

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF OCTOBER, 2026

BEFORE

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

CRIMINAL PETITION NO.2562 OF 2021

BETWEEN:

1. SHASHIDHARA
S/O GANGARAMAIAH
AGED ABOUT 36 YEARS
R/AT THODALABANDE
SASALU HOBLI
DODDABALLAPURA TALUK,
BANGALORE RURAL DISTRICT-561204

2. GANGARAMAIAH
S/O LATE RAMAIAH
AGED ABOUT 63 YEARS
R/AT THODALABANDE
SASALU HOBLI
DODDABALLAPURA TALUK
BANGALORE RURAL DISTRICT-561204

Digitally signed by DEVIKA M
Location: HIGH COURT OF KARNATAKA

3. VENKATANARAYANAPPA
S/O LATE CHIKKATHIMMAIAH
AGED ABOUT 60 YEARS
R/AT THODALABANDE
SASALU HOBLI
DODDABALLAPURA TALUK
BANGALORE RURAL DISTRICT-561204

4. RAMESH
S/O BYREGOWDA
AGED ABOUT 44 YEARS

R/AT KESTURU
DODDABELAVANGALA HOBLI
DODDABALLAPURA TALUK
BANGALORE RURAL DISTRICT-561204

5. RANGASHAMAIAH
S/O MUTHANNA
AGED ABOUT 58 YEARS
R/AT THODALABANDE
SASALU HOBLI
DODDABALLAPURA TALUK
BANGALORE RURAL DISTRICT-561204

…PETITIONERS

(BY SRI. M C BASAVARAJU, ADVOCATE)

AND:

STATE BY
DODDABELAVANGALA POLICE
DODDABALLAPURA TALUK
REP. BY STATE PUBLIC PROSECUTOR
HIGH COURT BUILDING
BANGALORE-560001

…RESPONDENT

(BY SRI SUHAS GOWDA M, HCGP)

THIS CRL.P IS FILED U/S.482 OF CR.P.C PRAYING TO QUASH THE IMPUGNED FIR FILED BY THE RESPONDENT IN CR.NO.19/2021 DATED 22.01.2021 FOR THE OFFENCE P/U/S 506, 199, 468, 149, 419, 420, 471, 323, 324, 417 OF IPC AND ETC.

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

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

CNR: KAHC010129662021

ORAL ORDER

This petition is filed praying this court to quash the FIR registered against the petitioners based on the PCR No.184/2020.

2. Heard the learned counsel appearing for the petitioners and the learned High Court Government Pleader appearing for the respondent/State. While filing this petition, complainant is not made as a party since the case is registered based on the private complaint.

3. The allegation in the private complaint that all these petitioners have indulged in creation of document in favour of accused No.1 and accused Nos.1 to 3 sold the property in favour of accused No.10 and other accused persons are being the witnesses to the said document. When specific allegations are made in the complaint that property belongs to the mother of the complainant i.e., Smt. Kenchamma who got the property under the Will and she passed away in the year 1998. Subsequently, all of them have indulged in creation of document of false family tree

and got it transferred the property in the name of accused No.1 and accused No.1, in turn, sold the property along with accused Nos.2 and 3 in favour of accused No.10. When such specific allegations are made in the complaint, at the time of considering the complaint, the court has to look into the contents of the complaint. In the judgment of the Apex Court in the case of **DINESHBHAI CHANDUBHAI PATEL vs. STATE OF GUJARAT AND OTHERS** reported in **(2018) 3 SCC 104,** it is very clear that if the complaint does disclose the ingredients of the offence, the same has to be investigated and it is the domain of the IO to unearth the truth and court should not venture to stay the proceedings that too staying of the proceedings of FIR. In view of the said judgment and when material is found in the complaint, the question of entertaining the petition does not arise. If no such material is found during the course of investigation, IO will file a 'B' report. Hence, there is no ground to quash the FIR when the serious allegations are made against the petitioners.

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

ORDER

The petition is dismissed.

In view of dismissal of the main petition, I.As. if any, do not survive for consideration and the same stand disposed of.

Sd/-
(H.P.SANDESH)
JUDGE

SN