HC-KAR

NC: 2026:KHC:60641
CRL.P No. 3214 of 2021

CNR: KAHC010165702021

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF OCTOBER, 2026

BEFORE

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

CRIMINAL PETITION NO.3214 OF 2021

BETWEEN:

1. SRI CHANDRAPPA K P
S/O POOJARAPPA
AGED ABOUT 55 YEARS
R/AT NO.355
ANANTH NAGAR MAIN ROAD
OPP. TO MEENAKSHI LAYOUT
KPR WATER SUPPLY
KAMMASANDRA
ELECTRONIC CITY
BENGALURU-560 100

Digitally signed by DEVIKA M
Location: HIGH COURT OF KARNATAKA

2. SMT. SUNITHA S
W/O CHANDRAPPA K P
AGED ABOUT 46 YEARS
R/AT NO.3
KAMMASANDRA VILLAGE
NEXT TO SUAVITY AMULYA APRTMENTS
ELECTRONIC CITY POST
BENGALURU-560 100

3. SRI RUTHEK
S/O CHANDRAPPA K P
AGED ABOUT 26 YEARS,
R/AT NO.3
KAMMASANDRA VILLAGE

NEXT TO SUAVITY AMULYA APARTMENTS
ELECTRONIC CITY POST
BENGALURU-560100

…PETITIONERS

(BY SRI. PRINCE ISAC, ADVOCATE)

AND:

1. STATE BY
HEBBAGODI POLICE STATION
ANEKAL TALUK
BENGALURU RURAL DISTRICT
(REP. BY SPP
HIGH COURT OF KARNATAKA)
BENGALURU

2. R T NARAYANA REDDY
S/O H P THIMMAIAH
AGED ABOUT 73 YEARS
R/AT RAMSAGAR VILLAGE
ATTIBELE HOBLI
ANEKAL TALUK
BENGALURU DISTRICT

…RESPONDENTS

(BY SRI MOHAMMED AYUB ALI, ADDL. SPP FOR R1;
SRI MITHUM GERAHALLI A, ADVOCATE FOR R2 [ABSENT])

THIS CRL.P IS FILED U/S.482 OF CR.P.C PRAYING TO QUASH ENTIRE PROCEEDINGS IN CR.NO.346/2020 ON THE FILE OF THE RESPONDENT HEBBAGODI P.S., ANEKAL TALUK, BENGALURU RURAL DISTRICT FOR THE OFFENCES UNDER SECTION 506, 34, 468, 420, 447, 471 OF IPC VIDE ANNEXURE-A 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: KAHC010165702021

ORAL ORDER

This petition is filed praying this Court to quash the entire proceedings initiated against the petitioners in Cr.No.346/2020 for the offences under Sections 506, 468, 420, 447, 471, 34 of IPC.

2. Heard the learned counsel appearing for the respective parties.

3. In the complaint dated 14.12.2020, the reference is made that earlier complaint was given on 30.10.2020 and with regard to the said complaint, NCR was issued in view of the submission of documents by the petitioners herein showing that there are documents standing in their names. When the complainant went and enquired with the office of Tahsildar in this regard, no such documents were available and those documents are created and forged documents. Hence, one more complaint was given that is Annexure-A before the court and the police have registered the case.

4. The counsel appearing for the petitioners would vehemently contend that when the earlier complaint was given,

NCR was issued and once again, the similar complaint was given. Hence, it is nothing but an abuse of process. If complaint is proceeded in conducting the investigation, it will be an abuse of process. The counsel contends that the allegation is made against one Kadirappa and not against these petitioners. Hence, there cannot be any criminal prosecution against these petitioners.

5. Per contra, the counsel appearing for the respondent/State would submit that no dispute that earlier complaint was given on 30.10.2020. But when the documents tendered before the police, NCR was issued. But, subsequently, the specific allegations are made against these petitioners that they have indulged in creation of document of sketch with regard to the Bagarhukum transaction and went and got verified the same and came to know that the documents which have been tendered before the police are created and forged documents. Hence, it requires investigation.

6. Having heard the learned counsel appearing for the respective parties and also on perusal of the material on record, it discloses that the court has to take note of the

contents of the complaint while quashing the FIR. Having perused the contents of the FIR, it is very clear that these petitioners have tendered the documents before the police on 01.11.2020 that is forged Bagarhukum cultivation, revenue sketch. When the complainant went and cross verified with the Revenue Department, no such documents are found. Hence, once again lodged the complaint. When such specific allegations are made about creating of the document and making use of the said forged document that too in a police department, the matter requires to be investigated by the police. In view of the judgment of the Apex Court in **DINESHBHAI CHANDUBHAI PATEL vs. STATE OF GUJARAT AND OTHERS** case reported in **(2018) 3 SCC 104,** the Apex Court held in paragraph 30 that High Court should not venture to quash the FIR and it is the domain of the IO to investigate the same. When specific allegations are made that these petitioners have indulged in forging of public document and no such document is in existence on cross verification, the matter requires to be investigated and unearth the truth. If no such document was forged and created, automatically the

petitioners would get the benefit of filing of B-report. If the investigating officer found that these petitioners have indulged in creating of document, then A-report will be filed. Hence, I do not find any grounds to quash the FIR.

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

ORDER

The petition is dismissed.

Sd/-
(H.P.SANDESH)
JUDGE

SN