HC-KAR
NC: 2026:KHC:62668
CRL.P No. 3202 of 2021
CNR: KAHC010165822021

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 12TH DAY OF NOVEMBER, 2026

BEFORE

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

CRIMINAL PETITION NO. 3202 OF 2021

BETWEEN:

GANGADHAR P
S/O LATE PUTTAPPA R,
AGED ABOUT 59 YEARS,
R/AT NO EWS- 207,
3RD STAGE, KUVEMPUNAGAR,
MYSORE CITY - 570 023.

...PETITIONER

(BY SRI. YADUNANDAN N., ADVOCATE FOR
SRI. GURURAJ R., ADVOCATE)

Digitally signed by DEVIKA M
Location: HIGH COURT OF KARNATAKA

AND:

1. STATE OF KARNATAKA
   BY STATION HOUSE OFFICER,
   (LAW AND ORDER)
   HEGGADADEVANKOTE TOWN,
   H D KOTE TALUK,
   MYSORE DISTRICT - 571 114,
   REPRESENTED BY ITS PUBLIC PROSECUTOR,
   HIGH COURT OF KARNATAKA BUILDING,
   BENGALURU - 560 001.

2. SMT. H K PADMA
   W/O LATE S KRISHNAMURTHY,
   AGED ABOUT 73 YEARS,
   R/AT KARTHIK APARTMENT,

HC-KAR
NC: 2026:KHC:62668
CRL.P No. 3202 of 2021
CNR: KAHC010165822021

BANASWADI,
BENGALURU - 560 033.

…RESPONDENTS

(BY SRI. SUHAS GOWDA M., HCGP FOR R1;
SRI. K.L. SREENIVAS, ADVOCATE FOR R2)

THIS CRL.P IS FILED U/S 482 CR.PC PRAYING TO QUASH THE FIR REGISTERED BY POLICE SUB-INSPECTOR, HEGGADADEVANKOTE, IN CR.NO.26/2021 NOW PENDING ON THE FILE OF PRL.CIVIL JUDGE (JR.DN) AND JMFC COURT, H.D.KOTE MYSORE FOR THE OFFENCE P/U/S 420 OF IPC AND FURTHER PROCEEDINGS THEREON AND THIS PETITION BE ALLOWED.

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 learned counsel appearing for the petitioner, the learned High Court Government Pleader for respondent No.1 and learned counsel for respondent No.2.

2. The prayer is sought for quashing the FIR registered by Police Sub-Inspector, Heggadadevankote in Crime No.26/2021 for the offence punishable under Section 420 of IPC.

3. The allegation made in the complaint dated 18.01.2021 is that the complainant is the owner of property

bearing Sy.No.166/12P measuring to the extent of 3 acres 31 guntas of land. This petitioner had approached to sell the property belonging to the complainant and clandestinely obtained the GPA on 15.09.2009 to get good prospective purchaser, but got registered the document based on the GPA in his favour, but on enquiry, he made the false statement that he had made payment of Rs.8,00,000/- and caused threat. Hence, complaint was given to the Deputy Superintendent of Police and case is registered.

4. Learned counsel appearing for the petitioner would vehemently contend that complaint is filed in 2021 and according to the complainant, GPA was taken on 15.09.2009 and after more than 12 years, the present complaint is filed. Having taken note of contents of the complaint, it is seen that complaint was filed belatedly after more than 12 years and if any such fraud is committed in obtaining the document, the complainant would have given the complaint immediately, but there was delay of 12 years and if any dispute with regard to sale of the property is concerned, the complainant is having a civil remedy and there cannot be a criminal colour to the civil

dispute and GPA is obtained to get prospective purchasers and based on the same, sale deed is executed and the same can be questioned before the Civil Court and criminal case cannot be continued against the petitioner.

5. Hence, it is a fit case to exercise the power under Section 482 of Cr.P.C. when there is a delay of 12 years in lodging the complaint, since the transaction has taken place in 2009, GPA was also of the year 2009 and sale deed was executed long back and subsequently, revenue entries are also changed in the name of the petitioner. When such being the case, the petitioner has made out the grounds to exercise the power under Section 482 of Cr.P.C.

6. In view of the discussion made above, I pass the following:

ORDER

(i) The criminal petition is ***allowed***.

(ii) The FIR registered by Police Sub-Inspector, Heggadadevankote in Crime No.26/2021 for the

offence punishable under Section 420 of IPC against the petitioner is hereby quashed.

Sd/-
(H.P.SANDESH)
JUDGE

ST
List No.: 1 Sl No.: 9