NC: 2026:KHC:21721
CRL.P No. 4327 of 2026

HC-KAR

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 21ST DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE R. NATARAJ

CRIMINAL PETITION NO. 4327 OF 2026 (482(Cr.PC) / 528(BNSS))

BETWEEN:

1. SHRI MUNIRAJU
S/O LATE VENKATARAMANAPPA
AGED ABOUT 53 YEARS
R/AT: SINGENA AGRAHARA VILLAGE,
SARJAPURA HOBLI,
ANEKAL TALUK -560099.

2. SHRI. LAKSHMAIAH @ LAKSHMAN
S/O LATE VENKATARAMANAPPA
AGED ABOUT 45 YEARS
R/AT SINGENA AGRAHARA VILLAGE,
SARJAPURA HOBLI, ANEKAL TALUK -560099.

3. SHRI. MUNIKRISHNA,
S/O. LATE VENKATARAMANAPPA,
AGED ABOUT 32 YEARS,
R/AT SINGENA AGRAHARA VILLAGE,
SARJAPURA HOBLI,
ANEKAL TALUK -560099.

4. SMT. AMARAVATHI,
WRONGLY MENTIONED AS AMARESHAMMA,
D/O. LATE VENKATARAMANAPPA,
W/O. MUNIYAPPA,
AGED ABOUT 55 YEARS,
R/AT. NO.530/1, OPP: YELLAMMA TEMPLE,
CHIKKANNAHALLI ROAD,
ATTIBELE VILLAGE AND HOBLI,
ANEKAL TALUK - 562107.

...PETITIONERS

(BY SRI. PRAKASH TIMMANNA HEBBAR, ADVOCATE)

Digitally signed by HEMALATHA J
Location: HIGH COURT OF KARNATAKA

AND:

1. STATE OF KARNATAKA
BY HEBBAGODI POLICE STATION,
ATTIBELE CIRCLE, ANEKAL TALUK,
BENGALURU-562 158.
REP BY SPP,
HIGH COURT BUILDING,
BENGALURU-01

2. SHRI. K.C. BHAT
S/O SKR BHAT,
AGED ABOUT 75 YEARS
R/AT NO.8/1, PALMGROOVE ROAD,
BENGALURU - 560 057.

...RESPONDENTS

(BY SRI. M.R.PATIL, HIGH COURT GOVERNMENT PLEADER FOR RESPONDENT NO.1

SRI. K.C. BHAT, RESPONDENT NO.2 - PARTY IN PERSON)

THIS CRL.P IS FILED UNDER SECTION 482 OF THE CODE OF CRIMINAL PROCEDURE, 1973 PRAYING TO QUASH THE CHARGE SHEET DATED 10.01.2024 FILED IN CR.NO.288/2019 BY HEBBAGODI P.S., FOR THE OFFENCES PUNISHABLE UNDER SECTIONS 506, 419, 420, 465, 471, 417 OF IPC AND CONSEQUENTLY QUASH THE ENTIRE PROCEEDINGS IN C.C.NO.167/2024, PENDING BEFORE THE IV ADDL. CIVIL JUDGE AND JMFC, ANEKAL.

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

CORAM: HON'BLE MR. JUSTICE R. NATARAJ

ORAL ORDER

The petitioners have challenged the prosecution launched against them by the respondent No.1 in C.C.No.167/2014 arising out of Crime No.288/2019 for the offences punishable under Sections 506, 419, 420, 465, 471 and 417 of IPC pending trial before the IV Additional Civil Judge and JMFC, Anekal, Bengaluru Rural District (henceforth referred to as 'Trial Court').

2. (i) The respondent No.2 informed the respondent No.1 on 02.08.2019 that he had purchased the land in Sy.No.82 of Singena Agrahara village, Sarjapura Hobli, Anekal Taluk, in terms of a sale deed dated 17.08.1994 from Sri. Venkateshappa, Sri. Goolappa and Sri. Gangappa. He claimed that all the revenue records reflected the transaction and his name was entered therein and that he was in possession of the same. He claimed that the legal heirs of his vendors forcibly entered his property in respect of which, cases in Crime No.551/2006 and Crime No.679/2006 were registered with Hebbagodi Police Station, who advised the parties to approach the Civil Court. The legal heirs of the vendors continued to interfere with the possession of the respondent No.2 and he

filed O.S.No.460/2010 for perpetual injunction. Despite the above, they continued to disturb the possession, which compelled him to file a case in Crime No.688/2013. He also filed a suit in O.S.No.382/2014 for declaration of his title and that the said suit is pending consideration. He claimed that during the pendency of the civil suits, the aforesaid persons along with others forcibly entered the property in question and constructed RCC building and also constructed a pump house. The respondent No.2 claimed that he being a Chartered Engineer, surveyed the property and fixed the boundaries. However, the aforesaid persons without his knowledge approached the Survey Department for bifurcation of the property and that a notice dated 01.10.2012 was purportedly issued to him. However, at the time of survey, one Mr. Narendra had represented the respondent No.2 and brought about false survey records to seem as if the legal heirs of the vendors of the respondent No.2 had title to the property claimed by them. With these, the respondent No.2 requested the respondent No.1 to initiate suitable action.

(ii) The respondent No.1 registered Crime No.288/2019 for the offences punishable under Sections 417, 419, 420, 465,

471, 506 of IPC and took up investigation. The same was questioned before this Court in Crl.P.No.7959/2020 by the accused Nos.3 and 5. This Court in terms of an order dated 18.03.2023 rejected Crl.P.No.7959/2020 and paved the way for an investigation into the offences. Consequent thereto, the respondent No.1 investigated the case and filed charge sheet for the offences punishable under Sections 506, 419, 420, 465, 471 and 417 of IPC. The Trial Court took cognizance of the aforesaid offences and issued process. The petitioners being aggrieved by the same are before this Court.

3. The learned counsel for the petitioners submitted that a perusal of the entire charge sheet does not show the complicity of the petitioners in the alleged offences. He contends that the petitioners are the owners of the portion of the property bearing Sy.No.82 of Singena Agrahara village and that the respondent No.2 had purchased the property from the persons, who did not have title to the property. He contends that there is nothing mentioned in the charge sheet about the involvement of the petitioners in the offences and therefore, the impugned prosecution of the petitioners is liable to be set at nought.

4. Per contra, the respondent No.2, who has appeared in person submits that the perusal of the statements of the petitioners recorded by the police would indicate the complicity of the petitioners in offences punishable under Sections 465 and 471 of IPC. He therefore, contends that it is not proper for this Court to exercise jurisdiction under Section 482 of Cr.P.C. and stall the prosecution and thwart the prosecution.

5. The learned High Court Government Pleader reiterated the submissions of the respondent No.2.

6. I have considered the submissions of the learned counsel for the petitioners and the respondent No.2, who has appeared in person as well as the learned High Court Government Pleader.

7. A perusal of the charge sheet along with the papers enclosed therein would indicate that there is an attempt at one-upmanship between the petitioners and the respondent No.2 and other accused in respect of a property bearing Sy.No.82 of Singena Agrahara village. In this regard, some revenue and survey proceedings are initiated purportedly behind the back of the respondent No.2, whereat the respondent No.2 was

impersonated by a person named Sri. Narendra, who had forged the signatures of the respondent No.2 to seem as if the property of the respondent No.2 was ceded to the accused. All this happened even while the respondent No.2 had filed a suit for declaration which is pending consideration. Therefore, in a petition under Section 482 of Cr.P.C., it is difficult for this Court to precisely point out the role of the accused in the commission of the offence. Thus, it is appropriate to direct the petitioners to file appropriate application before the Trial Court for discharge.

8. In that view of the matter, this petition is ***dismissed***. The petitioners are granted liberty to file an appropriate application before the Trial Court for discharge. If an application is filed, the Trial Court shall consider the same in accordance with law. It goes without saying that the Trial Court shall decide the application for discharge without being influenced by any observations made by this Court in the course of this Order.

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

10. Learned High Court Government Pleader is permitted to file a memo of appearance within ten days from today.

Sd/-
(R. NATARAJ)
JUDGE

PMR
List No.: 1 Sl No.: 26