HC-KAR

NC: 2026:KHC:54936
WP No. 12782 of 2021

CNR: KAHC010245122021

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 1ST DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE V SRISHANANDA

WRIT PETITION NO. 12782 OF 2021 (GM-RES)

BETWEEN:

SRI. M. K. SHANTHA MURTHY
S/O. LATE KARIBASAVE GOWDA. R,
AGED ABOUT 47 YEARS,
WORKING AS SENIOR SUB-REGISTRAR,
OFFICE OF THE SUB-REGISTRAR,
INDIRANAGAR, BANGALORE - 560 038.

…PETITIONER

(BY SRI. SATISH K, ADVOCATE)

AND:

1. THE STATE BY HALASUR POLICE STATION
REPRESENTED BY ITS POLICE INSPECTOR,
BANGALORE - 560 008.

2. THE DISTRICT REGISTRAR
SHIVAJINAGAR REGISTRATION DISTRICT,
NO. 122/22, 4TH FLOOR,
MONARK CHAMBERS,
INFANTRY ROAD,
BANGALORE - 560 001.

…RESPONDENTS

(BY SMT. WAHEEDA M.M, HCGP FOR R1 AND R2)

Digitally signed by ASHWINI MAYAPPA MAVARAKAR
Location: High Court of Karnataka

THIS W.P. IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA R/W SEC. 482 OF THE CR.PC PRAYING TO CALL FOR RECORDS FROM THE RESPONDENTS QUASH THE IMPUGNED COMPLAINT DTD. 12.7.2021 GIVEN BY THE R-2 ANNEXURE-E AND IMPUGNED FIRST INFORMATION REPORT DTD.12.7.2021 IN CRIME NO.171/2021 PENDING ON THE FILE OF THE R-1 POLICE ANNEXURE-F AND ALL FURTHER PROCEEDINGS PURSUANT THERETO AND ETC.,

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

CORAM: HON'BLE MR. JUSTICE V SRISHANANDA

ORAL ORDER

1. Heard Sri.Satish K., learned counsel for the petitioner and Smt.Waheeda M. M., learned High Court Government Pleader for respondent Nos.1 and 2.

2. Petition is filed under Article 226 of the Constitution of India read with Section 482 of Criminal Procedure Code with the following prayer:

> "*The petitioner therefore most humbly prays that this Hon'ble Court may be pleased to:*
>
> a. *Call for records from the respondents;*
>
> b. *Issue writ or order quashing the impugned complaint dated 12.07.2021 given by the respondent No.2 (Annexure-E) and impugned First Information Report dated 12.07.2021 in Crime No.171/2021 pending on the file of the 1st respondent Police (Annexure-F) and all further proceedings pursuant thereto, in the interest of justice and equity;*
>
> c. *Pass any other order as this Hon'ble Court deems fit in the facts and circumstances of the case, in the interest of justice and equity."*

3. Petitioner is the Sub-Registrar who registered a family settlement deed as per the requisite procedure. Allegation against the petitioner is that Government land has been registered by the Sub-Registrar without noticing the fact that the beneficiaries under the family settlement deed are not the owners of the property.

4. As such, offence under Section 192(A) of the Karnataka Land Revenue Act, 1964 came to be invoked as against the petitioner.

5. Learned counsel for the petitioner would contend that such a course of action is impermissible; assuming for the sake of arguments that subject matter of the family settlement deed is a Government land in the absence of beneficiaries thereof being made as accused.

6. This Court finds sufficient force in the contentions urged on behalf of the petitioner, in the petition.

7. All that the deficiency if any, that could be attributed to the petitioner is not verifying the relevant entries in the document which supported the registration of the family settlement.

8. It can only be treated as irregularity and not definitely an offence under Section 192(A) of Karnataka Land Revenue Act, 1964. As such, continuation of the proceedings would amount to abuse of process of law warranting this Court to exercise inherent jurisdiction in quashing the pending criminal case.

9. Hence the following:

ORDER

i. Petition is ***allowed***.

ii. FIR registered in Crime No.171/2021 dated 12.07.2021 by Halasur Police Station for the offence punishable under Section 192(A) of the Karnataka Land Revenue Act, 1964 is hereby quashed.

Sd/-
(V SRISHANANDA)
JUDGE

KAV
List No.: 2 Sl No.: 3