HC-KAR

NC: 2026:KHC:55316
WP No. 24095 of 2023

CNR: KAHC010573152023

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 05TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE V SRISHANANDA

WRIT PETITION No.24095 OF 2023 (GM-RES)

BETWEEN:

SMT. UMA. L
AGED ABOUT 45 YEARS,
W/O SRI T. S. SATHYANANDA,
DISTRICT GOVERNMENT PLEADER,
MANDYA DISTRICT AND SESSION COURT,
MANDYA,
R/AT NO. 128, 9TH CROSS,
CHAMUNDESHWARI NAGAR,
MANDYA-571 401.

…PETITIONER

(BY SRI. SATYANARAYANA CHALKE S, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY SHO,
MANDYA WEST POLICE STATION,
MANDYA SUB-DIVISION,
MANDYA DISTRICT-571 401.
REPRESENTED BY HCGP,
HIGH COURT OF KARNATAKA,
DR. B. R. AMBEDKAR VEEDHI,
BENGALURU-560 001.

2. SRI. BALARAJU. T
AGED ABOUT 49 YEARS,
S/O MR. THIMMAIAH,
R/AT VAZEER THIMMAPPAGARADI BEEDI,
SRIRANGAPATNA TOWN,

Digitally signed by R MANJUNATHA
Location: HIGH COURT OF KARNATAKA

MANYDA-571 401.

…RESPONDENTS

(BY SMT.WAHEEDA.M.M, HIGH COURT GOVERNMENT PLEADER FOR R1;

SRI G.RAMESH, ADVOCATE FOR R2 -ABSENT)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA R/W SECTION 482 CODE OF CRIMINAL PROCEDURE PRAYING TO CALL FOR RELEVANT RECORDS AND QUASH THE FIR REGISTERED IN CRIME NO.152/2023 AT ANNEXURE-D DATED 22/10/2023 FOR THE OFFENCES PUNISHABLE UNDER SECTIONS 193, 197, 210, 120B, 418, 420, 468, 471, 114, 119, 34 OF IPC (ANNEXURE-D) PRL. CIVIL JUDGE (SR. DN.), CJM COURT, MANDYA DIST, MANDYA AS AGAINST THE PETITIONER AS WITHOUT JURISDICTION AND ARBITRARY.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE V SRISHANANDA

ORAL ORDER

Heard Sri Satyanarayana S.Chalke, learned counsel for the petitioner and Smt.Waheeda M.M. learned High Court Government Pleader. Learned counsel for respondent No.2 is absent.

2. Petition under Articles 226 and 227 of the Constitution of India r/w Section 482 of the Code of Criminal Procedure with the following prayer:

> *"Issue a writ appropriate nature of certiorari, quashing the FIR registered in Crime No.152/2023 at Annexure-D dated 22.10.2023 for the offences punishable under Sections 193, 197, 210, 120B, 418, 420, 468, 471, 114, 119, 34 of IPC (Annexure-D) Prl.Civil Judge (Sr.Dn.) and CJM Court, Mandya District, Mandya, as against the petitioner as without jurisdiction and arbitrary."*

3. Facts which are utmost necessary for disposal of the present petition are as under:

3.1 Petitioner is an advocate who practiced in the courts at Mandya District. She has unblemished career of 21 years in the profession.

3.2 Considering service and the legal acumen, petitioner was appointed as a District Government Pleader by notification bearing No.LAW12 LAD 2019 dated 06.08.2020. By subsequent notification dated 30.06.2022, her period was renewed.

3.3 During the course of discharging her duty as a District Government pleader, petitioner had conducted a Land Acquisition proceedings in LAC No.166/ 2018 wherein there was an order passed by the Reference Court enhancing the market value to the tune of ₹85,500/- per gunta.

3.4 An execution case was filed seeking enhanced compensation in Execution Case No.191/2021. Through cheque bearing No.001110 a sum of ₹24,52,871 /- came to be deposited before the Executing Court on 08.04.2022.

3.5 Accepting the cheque, execution proceeding was closed.

3.6 However, discrepancy was noted in the claim amount inasmuch as, enhanced compensation amount was payable in respect of 0.8 guntas of land instead of 8 guntas. Moment such a discrepancy was noticed, necessary application was filed and by an Order of the Court, the decree holder re-deposited the excess enhanced compensation through a demand draft.

3.7 In the meantime, a complaint came to be registered against the petitioner and the decree holder therein in Crime

No.152/ 2023 on 22.10.2023 for the offences punishable under Section 193, 197, 210, 120B, 418, 420, 468, 471, 114, 119 r/w Section 34 of the Indian Penal Code.

4. Sri. Satyanarayana S.Chalke, learned counsel for the petitioner has challenged the registration of the case and further continuation of the proceedings.

5. He has placed necessary materials on record in the form of photocopies of the documents of the execution proceedings wherein the excess amount paid by the Government to the decree holder is deposited back into the Court by way of a demand draft is depicted.

6. Taking note of the fact that it is a typographical error which ultimately resulted in payment of excess compensation in respect of 8 guntas of land as against 0.8 guntas of land, this Court is of the considered opinion that it is a *bonafide* mistake that has crept in and no criminal case involved.

7. There is no other material on record to establish that there was a wrongful loss to the Government nor wrongful gain to the petitioner herein.

8. Thus, a case is made out for quashing the pending proceedings.

9. Hence, the following:

ORDER

(i) Petition ***allowed***.

(ii) FIR registered in Crime No.152/2023 dated 22.10.2023 by Mandya West Police Station, Mandya Sub Division, Mandya, is hereby quashed.

(iii) In view of dismissal of the petition, pending applications if any, stand consigned to record.

Sd/-
(V SRISHANANDA)
JUDGE

kcm
List No.: 1 Sl No.: 69
CT:VRR