



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD
DATED THIS THE 2ND DAY OF FEBRUARY, 2026
BEFORE
THE HON'BLE MR. JUSTICE V.SRISHANANDA
CRIMINAL PETITION NO. 100934 OF 2021
(482(CR.PC)/528(BNSS))

BETWEEN:

RAGHAVENDRA BALAKRISHNA HARIGOL
AGE. 35 YEARS, OCC. ASSISTANT LECTURER,
R/O. BHIMANAGUDDA, NEELEKANI,
SIRSI, U.K.DISTRICT-560018.

...PETITIONER

(BY SRI. A.P. HEGDE JANMANE, ADVOCATE)

AND:

1. STATE OF KARNATAKA,
SUPERINTENDENT POLICE,
CIVIL RIGHT ENFORCEMENT CELL,
MANGALORE REGION, 3RD FLOOR,
MANGALORE URBAN DEVELOPMENT AUTHORITY
BUILDING,
URVA STORE, MANAGALORE-574142.
2. STATE OF KARNATAKA,
BY NEW MARKET POLICE STATION,
SIRSI, U.K.DIST, REP. BY SPP
HIGH COURT OF KARNATAKA BENCH,
DHARWAD-580011.

...RESPONDENTS

(BY SRI. C. JAGADISH, SPECIAL COUNSEL FOR R1;
SMT. KIRTELATA R. PATIL, HCGP FOR R2)

THIS CRIMINAL PETITION IS FILED UNDER SECTION 482 OF CR.P.C., PRAYING TO QUASH THE PROCEEDINGS IN NEW MARKET POLICE STATION SIRSI CRIME NO.0008/2019 WHICH IS SUBSEQUENTLY REGISTERED AS SPECIAL CASE NO.41/2020 PENDING BEFORE THE COURT OF SESSIONS JUDGE, UTTARA KANNADA AT KARWAR, FOR THE OFFENCES PUNISHABLE U/S 198, 420, 511 OF IPC AND SEC.3(1)(IX) OF SC AND ST (POA) ACT, 1989.





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

ORAL ORDER

(PER: THE HON'BLE MR. JUSTICE V.SRISHANANDA)

1. Heard Sri.A.P.Hegde Janmane, learned counsel appearing for petitioner and learned Special counsel Sri.C.Jagadish, appearing for respondent No.1 and Smt.Kirtilata R. Patil, learned High Court Government Pleader appearing for respondent No.2.

2. A petition is filed under Section 482 of Code of Criminal Procedure (hereinafter referred to as 'the Cr.P.C.') with the following prayer:

"Wherefore, the petitioner respectfully prays that this Hon'ble Court be pleased to:-

(I) Quash the proceedings in New Market Police Station Sirsi Crime No.0008/2019 which is subsequently registered as Special Case No.41/2020 pending before the Court of Sessions Judge, Uttara Kannada at Karwar, for the offences punishable under Sections 198, 420, 511 of IPC AND Section (1) (IX) OF SC/ST (POA) ACT, 1989.



(II) And grant such other suitable relief deemed fit and proper, including costs, in the interest of justice."

3. The petitioner belongs to the Moger caste, has completed his education and applied for the post of College Lecturer in a Government College.

4. Based on his merit, he has been selected as Assistant Lecturer in the Government Degree College on general merit basis.

5. Prosecution is initiated against the petitioner alleging misuse of the caste status and claiming the benefits of Scheduled Castes and Scheduled Tribes, as 'Mogers; do not fall within the category of Scheduled Caste and Scheduled Tribe.

6. Sri.A.P.Hegde Janmane, learned counsel appearing for petitioner, now seeks quashing of the pending proceedings against the petitioner on the ground that the petitioner was selected and appointed on a general merit basis and had not claimed or availed any benefit under the Scheduled Caste or Scheduled Tribe category. Therefore, initiation of criminal proceedings against the petitioner is an abuse of process of law and liable to be quashed.



7. *Per Contra*, learned High Court Government Pleader and learned Special Counsel Sri.C.Jagadish would contend that the benefit availed by the petitioner during the period of his education requires consideration and therefore, the petition needs to be dismissed.

8. Having taken note of the fact that there is no misuse of the caste certificate for obtaining the employment, inasmuch as the petitioner was selected as an Assistant Lecturer under the general merit category in a Government College, this Court is of the considered opinion that continuation of the pending proceedings would only result in futile exercise.

9. It is therefore a clear case of futile exercise and abuse of the process of law.

10. Accordingly, the following order is passed:

ORDER

- (i) The petition is **allowed**.
- (ii) The pending proceedings in Special Case No.41/2020 pending before the Court of



Principal District and Sessions Judge, Uttara
Kannada, at Karwar, are hereby quashed.

(iii) It is made clear that the proceedings are
quashed having regard to the peculiar facts of
the case, and not on any legal issue, and the
same shall not be treated as a precedent.

Sd/-
(V.SRISHANANDA)
JUDGE

RHR/- CT:CMU
LIST NO.: 3 SL NO.: 15