



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD
DATED THIS THE 3RD DAY OF FEBRUARY, 2026
BEFORE
THE HON'BLE MR. JUSTICE V.SRISHANANDA
CRIMINAL PETITION NO. 101723 OF 2021
(482(CR.PC)/528(BNSS))

BETWEEN:

1. SRI. VIJAY S/O TUKARAM SAVANT
AGE. 62 YEARS, OCC. RETIRED DEPUTY TAHASILDAR,
R/O. BEHIND VITTAL TEMPLE,
TALUK. RAMDURG, DIST. BELAGAVI 591123.
2. SRI. M.S. BAMANNAVAR
AGE. 47 YEARS, OCC. VILLAGE, ACCOUNTANT,
R/O. KHANAPETH, KATKOL HOBLI,
TALUK. RAMDURG, DIST. BELAGAVI 591123.

...PETITIONERS

(BY SRI. H.M. DHARIGOND, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
THROUGH KATKOL POLICE STATION,
REPRESENTED BY THE STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
DHARWAD BENCH AT DHARWAD.
2. SRI. ABASAHEB S/O BALASAHEB RAYAJADE
AGE. 64 YEARS, OCC. AGRICULTURE,
R/O. KILLA-TORAGAL, KATKOL HOBLI,
TALUK. RAMDURG, DIST. BELAGAVI 591123.

...RESPONDENTS

(BY SMT. KIRTELATA R. PATIL, HCGP FOR R1;
SRI. B.S. KUKANAGOUDAR, ADVOCATE FOR R2)

THIS CRIMINAL PETITION IS FILED UNDER SECTION 482 OF CR.P.C., PRAYING TO QUASH THE IMPUGNED ORDER DATED 15.04.2021 PASSED IN PCR NO.80/2021 ON THE FILE OF THE CIVIL JUDGE AND JMFC, RAMDURG AND FIR REGISTERED IN CRIME NO.107/2021 DATED 04.07.2021 FOR THE OFFENCE PUNISHABLE U/S 167, 465, 467 AND 468 R/W SECTION 34 OF IPC AGAINST THE PETITIONERS/ACCUSED NO.2 AND 3.





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 H.M. Dharigond, learned counsel for the petitioners, Smt. Kirtilata R. Patil, learned High Court Government Pleader for respondent No.1, and Sri B.S. Kukanagoudar, learned counsel for respondent No.2.

2. The petition has been filed under Section 482 of the Criminal Procedure Code (hereinafter "the Cr.P.C.") with the following prayer:

i. "To quash the impugned order dated 15.04.2021 passed in PCR No.80/2021 on the file of the Civil judge and JMFC., Ramdurg and FIR registered in Crime no.107/2021 dated 04.07.2021 for the offence punishable under section 167, 465, 467 and 468 R/w Section 34 of IPC against the petitioners/Accused No.2 and 3.

ii. To such other relief/s as this Hon'ble Court may be please to deem fit in the circumstances of the case in the interest of justice and equity."



3. The facts, in brief, which are necessary for the disposal of the present petition, are as under:

4. A private complaint was filed by respondent No.2 under Section 200 of the Cr.P.C., alleging that the petitioners misused their official position in transferring revenue entries based on the WILL executed by Annakka.

5. Pursuant to the order passed by the trial Magistrate under Section 156(3) of the Cr.P.C., Katkol Police registered the case as Crime No.107/2021 for offences punishable under Sections 167, 465, 467 and 468 read with Section 34 of the Indian Penal Code (hereinafter "the IPC") on 18.07.2019 and initiated investigation.

6. The case of the petitioners is that they acted in accordance with the order of the Civil Court passed in P & SC No.51/2018, which directed the issuance of probate in respect of the will dated 28.02.2013. Based on the said order revenue entries were mutated following requisite procedure and therefore, no offence is committed by them.



7. On perusal of the material on record and after hearing the parties, this Court is satisfied that, taking note of the fact that the petitioners acted as per the directions of the Civil Court in P & SC No.51/2018, no offence is made out against the petitioners, who are only revenue officials.

8. Accordingly, a case is made out for quashing the proceedings registered in Crime No.107/2021, as continuation thereof would result in abuse of the process of law. Accordingly, the following:

ORDER:

- i. The petition is ***allowed***.
- ii. The pending FIR, insofar as it relates to the petitioners, is hereby quashed.

In view of the disposal of the petition, all pending I.A.s are disposed of.

Sd/-
(V.SRISHANANDA)
JUDGE

AC, CT:CMU
LIST NO.: 1 SL NO.: 23