



**IN THE HIGH COURT OF KARNATAKA
KALABURAGI BENCH**

DATED THIS THE 4TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

WRIT PETITION NO. 202674 OF 2025 (GM-POLICE)

BETWEEN:

SMT. VIDYA MAHINDRAKAR
W/O JAWAHAR MAHINDRAKAR,
AGE: 40 YEARS, OCC: HOUSEWIFE,
R/O H.NO.10-49, MUDHOL VILLAGE,
SEDAM (THALUKA),
KALABURAGI DISTRICT- 585318.

...PETITIONER

(BY SRI YASHAS S. DIKSHIT, ADVOCATE)

AND:

1. THE PRINCIPAL SECRETARY,
DEPARTMENT OF HOME,
THE GOVERNMENT OF KARNATAKA,
VIDHANA SOUDHA,
BENGALURU-560001.
2. THE DIRECTOR GENERAL OF POLICE,
THE OFFICE OF THE DIRECTOR
GENERAL OF POLICE,
BANGALURU TOWN AND DISTRICT-560001.
3. THE SUPERINTENDENT OF POLICE,
THE OFFICE OF THE
SUPERINTENDENT OF POLICE,
KALABURAGI TOWN AND DISTRICT-585101.
4. THE CIRCLE INSPECTOR OF POLICE
THE OFFICE OF THE CIRCLE
INSPECTOR OF POLICE,

Digitally signed
by RENUKA
Location: HIGH
COURT OF
KARNATAKA



MUDHOL VILLAGE, SEDAM THALUKA,
KALABURAGI DISTRICT -585318.

5. THE STATION HOUSE OF POLICE,
THE OFFICE OF THE STATION
HOUSE OF POLICE,
MUDHOL VILLAGE, SEDAM THALUKA,
KALABURAGI DISTRICT-585318.
6. THE CIRCLE INSPECTOR OF POLICE,
THE OFFICE OF THE CIRCLE
INSPECTOR OF POLICE,
SEDAM VILLAGE AND THALUKA
KALABURAGI DISTRICT -585222.
7. SMT. BHAGYA LAXMI W/O NIRANJAN,
AGED ABOUT 39 YEARS,
OCC: AGRICULTURE,
R/O GOPANAPALLI (K) VILLAGE,
SEDAM THALUKA,
KALABURAGI DISTRICT -585318.
8. NIRANJAN S/O NARSAPPA,
AGED ABOUT 46 YEARS,
OCC: AGRICULTURE,
R/O GOPANAPALLI (K) VILLAGE,
SEDAM THALUKA,
KALABURAGI DISTRICT -585318.

...RESPONDENTS

(BY SRI VIRANAGOUDA M. BIRADAR, AGA FOR R1 TO R6
V/O DATED 04.02.2026 NOTICE TO R7 TO R8 IS
DISPENSED WITH)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO A) A WRIT IN THE NATURE OF MANDAMUS DIRECTING THE RESPONDENT NO.2 TO RESPONDENT NO.6 TO DO INVESTIGATION BASED ON REPRESENTATION VIDE ANNEXURE-C DATED 16.04.2025 AND 03.04.2025 PETITIONER LODGE COMPLAINT FOR THE OFFENCE DONE FOR CRIMINAL CONSPIRACY, CRIMINAL INTENTION, CRIMINAL INTIMIDATION FOR EXTORTION OF MONEY BY EXECUTING FABRICATION OF REGISTERED SALE DEED VIDE DOC. NO.3084 OF 2023 - 2024 DATED 20.11.2023 AFTER REGISTRATION OF THE COMPLAINT OF PETITIONER AND ETC.



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

CORAM: HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

ORAL ORDER

Heard the learned counsel for the petitioner.

2. Learned Additional Government Advocate is
directed to take notice for respondent Nos.1 to 6.

3. Notice to respondent Nos.7 and 8 is dispensed, as
no relief is sought against them in this petition except for a
prayer made by the petitioner for the relief of mandamus for
a direction to respondent Nos.2 to 6 to conduct investigation
and register a criminal complaint against respondent Nos.7
and 8.

4. This petition is filed seeking the following reliefs:

*"(a). A writ in the nature of mandamus
directing the respondent no: 2 to Respondent
no: 6 to do investigation based on representation
at vide Annexure-C dated 16.04.2025 and
03.04.2025. Petitioner lodge complaint for the
offence done for criminal conspiracy, criminal
intention, criminal intimidation for extortion of
money by executing fabrication of registered sale*



deed vide doc. No: 3084 of 2023 – 2024 dt: 20/11/2023 after registration of the complaint of petitioner.

(b). Issue any other writ or direction, which this Hon'ble Court deemed fit under the facts and circumstances of the case, in the interest of justice and equity."

5. It is a case of the petitioner that she purchased land bearing Survey No.24/1 to an extent of 02 acres 16 guntas situated at Gopanpalli (K) Village, Sedam Taluk, Kalaburagi District, vide registered sale deed dated 20.11.2023 from respondent No.7 and the said document was executed in the presence of respondent No.8 as a witness. It is the contention of the learned counsel for the petitioner that with a criminal conspiracy and criminal intention to extort money, respondent Nos.7 and 8 colluded with each other and executed the sale deed in favour of the petitioner. A partition suit was filed in O.S.No.5/2016 against respondent Nos.7 and 8 and the said suit was partly decreed wherein Sy.No.24/1 was allotted to the plaintiffs. Though respondent Nos.7 and 8 who are defendants Nos.1 and 3 before the trial Court are aware of this fact, with an intention



to extort money, they sold the said property to the petitioner. Therefore, the petitioner requested respondent Nos.7 and 8 to settle the land dispute. However, respondent Nos.7 and 8 did not heed to her request. This being the state of affairs, the petitioner lodged complaint on 03.04.2025 and 16.04.2025 before respondent Nos.2, 3 and 5 to take action against respondent Nos.7 and 8. But, no action was taken. Hence, the petitioner is performed to approach this Court for necessary relief, as he has been duped in the criminal conspiracy and fraud has been committed by respondent Nos.7 and 8.

6. It is contended by learned counsel for the petitioner that respondent Nos.2 to 6 closed the complaints as civil in nature. The same is bad in law and not sustainable, as the respondents have not conducted proper investigation. Hence, the petitioner seeks investigation on the complaint lodged by her against respondent Nos.7 and 8, as it is a clear case of fraud and collusion.



7. Apparently, it is seen that the land in Sy.No.24/1 of Gopanpalli (K) village was allotted to the plaintiffs. Though respondent No.7 was aware of this fact, she sold the said property to the petitioner with a criminal intention. Aggrieved by which, the petitioner has lodged a complaint to the police authorities who upon conducting investigation have come to a conclusion that the dispute is civil in nature. When the police authorities come to a conclusion that there is no case made out for registration of FIR, the option left to the petitioner would be to initiate proceedings by filing a complaint under Section 200 Cr.P.C.,/Section 223 of Bharatiya Nagarik Suraksha Sanhita, 2023, against the persons before the jurisdictional Magistrate, for the reason that every complaint filed before the police station need not be necessarily registered by way of an FIR. Upon conducting investigation, if the police finds that no case is made out, they can give a report to that effect. If the petitioner is aggrieved by the same, he is at liberty to file a complaint under Section 223 of BNSS, directly before the jurisdictional Magistrate. In matters where it relates to recovery of money



and non-performance of the contract, for violation and breach of the terms and conditions of the contract amounts to a civil dispute, the petitioner will have to invoke the civil remedies available to her in law and not to come before the Court insisting upon filing an FIR unless the same is made out for proper reasons.

8. Under the circumstances, I pass the following:

ORDER

- i. This petition is disposed of.
- ii. The petitioner is at liberty to invoke Section 223 of the BNSS and file a complaint before the jurisdictional Magistrate, if she is so advised. The petitioner is also at liberty to invoke the civil remedies available to her.

**Sd/-
(PRADEEP SINGH YERUR)
JUDGE**

NB
List No.: 1 Sl No.: 3
CT:MH