



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 6TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE RAJESH RAI K

CRIMINAL REVISION PETITION NO. 200126 OF 2025

(397(Cr.PC)/438(BNSS))

BETWEEN:

1. KAMARAJ S/O DUNDAPPA PUJARI,
AGE 54 YEARS, OCC. ADVOCATE,
R/O SINDAGI, TQ. SINDAGI,
DIST. VIJAYAPURA-586128.
2. SOMALINGA @ SOMANNA
S/O MALLAPPA BULLA,
AGE 78 YEARS, OCC. RETIRED,
R/O KERUTAGI, NOW AT SINDAGI,
TQ. SINDAGI, DIST. VIJAYAPURA-586128.
3. SIDDAPPA S/O KENCHAPPA GADAGI,
AGE 80 YEARS, OCC. RETIRED,
R/O ARJUNAGI, TQ. INDI,
DIST. VIJAYAPURA-586217.
4. AMOGASIDDAPPA
S/O SHIVAYOGI BIRADAR,
AGE 54 YEARS, OCC. AGRICULTURE,
R/O KADLEWAD, TQ. ALMEL,
DIST. VIJAYAPURA-586206.

Digitally signed by
SHIVALEELA
DATTATRAYA UDAGI
Location: HIGH
COURT OF
KARNATAKA

...PETITIONERS

(BY SRI BAPUGOUDA SIDDAPPA.,ADVOCATE)



AND:

1. THE STATE OF KARNATAKA
R/BY ADDL. SPP,
HIGH COURT OF KARNATAKA
KALABURAGI BENCH, KALABURAGI-585107.
(THROUGH PSI SINDAGI POLICE STATION SINDAGI)
2. BHAGAPPA S/O DEVAPPA PUJARI,
AGE 76 YEARS, OCC. AGRICULTURE,
R/O OPP BLDEA HOSPITAL, PRAGATI NAGAR,
VIJAYAPURA-586101.

...RESPONDENTS

(BY SRI JAMADAR SHAHABUDDIN, HCGP FOR R1;
SRI SHIVANAND V. PATTANSHETTI, ADV FOR R2)

THIS CRL.RP IS FILED U/S 397 (1) OF CR.P.C (OLD),
U/SEC. 438 OF BNSS (NEW), PRAYING TO CALL FOR THE
RECORDS & TO QUASH THE IMPUGNED ORDER DATED
03.09.2025 PASSED IN I.A.NO.1/2025 IN SESSIONS CASE
NO.68/2024 (PS CRIME NO. 186/2022) REGISTERED BY THE
SINDAGI POLICE STATION SINDAGI FOR THE OFFENCES
PUNISHABLE U/S 143, 147, 148, 323, 324, 341, 364, 307, 504,
506, 114 R/W 149 OF IPC ON THE FILE OF THE COURT OF THE
II ADDITIONAL DISTRICT AND SESSIONS AND SPECIAL JUDGE
VIJAYAPURA AT VIJAYAPURA IN THE INTEREST OF JUSTICE
AND EQUITY.

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

CORAM: HON'BLE MR. JUSTICE RAJESH RAI K



ORAL ORDER

This Revision Petition is directed against the order dated 03.09.2025 passed in S.C.No.68/2024, arising out of Crime No.186/2022, registered by Sindagi Police, pending on the file of II Addl. District and Sessions and Special Judge, Vijayapur (hereinafter called as "the learned Sessions Judge"), whereby the learned Sessions Judge dismissed the application on IA No.1/2025 filed by the petitioners under Section 227 of Cr.P.C., to discharge them from the offences punishable under Sections 143, 147, 148, 323, 324, 341, 364, 307 , 504, 506 and 114 r/w Section 149 of IPC.

2. The factual matrix of the case is that, in order to get executed a registered deed of transfer in respect of land bearing Sy.No.952/1 in favour of the Educational Institution headed by accused No.1, the accused persons by hatching a conspiracy on 18.08.2022, chased the complainant/respondent No.2 and his son, who were proceeding to Vijayapura in a car on NH-50 Highway.



When they stopped the car at Kannolli, all the accused persons came there and surrounded them. Accused No.1 started to abuse them in filthy language and accused No.2 snatched the mobile phone and the car key from respondent No.2 and his son. Accused No.3 dragged respondent No.2 and his son and pushed them into the car and took them to their land bearing Sy.No.952/1, where they confined them in a room. Thereafter, all the accused together assaulted respondent No.2 and forced him to execute a registered deed in respect of the said land in favour of the Educational Institution and took respondent No.2 to the office of the Sub-Registrar by keeping respondent No.2's son in their custody. By that time, the office was closed and therefore they returned and sent them to their house by threatening them that they would do away their lives if respondent No.2 failed to execute the document.

3. It is further case of the prosecution that respondent No.2 and accused No.1 have formed a society



to run School in Sindagi, for which, respondent No.2 had undertaken to give his land bearing Sy.No.952/1 to an extent of 1 acre 21 guntas. However, respondent No.2 was reluctant to give his share. In order to force him to execute the registered document as agreed by him, the incident was taken place. Due to the same, respondent No.2 lodged the complaint on 21.08.2022 before the Sindagi Police against the petitioners and others. Based on the said complaint, respondent No.1-Police registered a case in Crime No.186/2022 against the petitioners for the aforementioned offences. Subsequently, the respondent No.1-Police investigated the case and laid charge sheet against the petitioners by arraying them as accused Nos.1, 5, 6 and 8. On committal of the case, the learned Sessions Judge took cognizance of the aforesaid offences.

4. Aggrieved by the same, the petitioners filed IA No.1/2025 for discharging them from the charges. On assessment of the charge sheet materials, the learned



Sessions Judge rejected the application filed by the petitioners. Hence, the petitioners are before this Court.

5. Heard learned counsel for the revision petitioners, learned High Court Government Pleader for respondent No.1-State and learned counsel for respondent No.2.

6. Apart from urging several contentions, learned counsel for the petitioners primarily contended that there are no *prima facie* allegations are forthcoming against these petitioners. According to him, in the complaint averments, it is stated that accused No.1 committed the alleged incident and subsequently, the names of accused Nos.5, 6 and 8 are implicated, the same is an afterthought of respondent No.1-Police. He also contended that, on perusal of the statement of the witnesses in the charge sheet, except some omnibus allegations no other *prima facie* materials are forthcoming against these petitioners. Hence, he submitted that this aspect of the matter was



not rightly appreciated by the learned Sessions Judge. Accordingly, he prays to allow the petition.

7. *Per contra*, learned counsel for respondent No.2 contended that on perusal of the charge sheet materials and statements of CWs.1 and 10 i.e., injured eyewitnesses and CWs.14 to 19-the other eyewitnesses have categorically stated the participation of the petitioners in the alleged incident. He also contends that, CW.10 being the injured eyewitness, has clearly stated that the petitioners also assaulted him with deadly weapons, by which, he sustained injuries and the statement was supported with the medical documents. In such circumstances, this is not a fit case to discharge the accused for the charges levelled against them. Hence, he prays to dismiss the revision petition.

8. Learned High Court Government Pleader opposed the petition and prays to dismiss the same.



9. I have given my anxious consideration both on the submissions made by the learned counsel for the respective parties and documents available on record.

10. As could be gathered from records, on perusal of the complaint averments, it is clearly stated that the petitioners along with accused No.1, assaulted CWs.1 and 10 with deadly weapons, by kidnapping them from Kannoli cross to the field situated near the School and there they confined CW.10 and also assaulted CWs.1 and 10 brutally. This aspect of the matter was clearly deposed by CWs.1 and 10-the injured witnesses so also the eyewitnesses-CWs.14 to 19.

11. In such circumstances, there are *prima facie* allegations forthcoming against the petitioners. The Hon'ble Apex Court in the case of ***State of Tamil Nadu vs. Soundirarasu*** reported in **(2023) 6 SCC 768**, held that the scope of revisional power of framing of charge and refusal cannot be exercised casually and mechanically,



only if there is manifest error or the procedure of law is not followed, then only judicial power can be exercised. In the case on hand, when there are *prima facie* materials are forthcoming against the petitioners about their participation in the alleged offences, they cannot be discharged.

12. In such circumstances, I find no good grounds to interfere in the impugned order passed by the Trial Court. Accordingly, this Criminal Revision Petition lacks merits and the same is ***dismissed***.

**Sd/-
(RAJESH RAI K)
JUDGE**

AMM
List No.: 2 Sl No.: 34
CT:rj