

Vasudevareddy vs the State of Karnataka

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Court : Karnataka Orders

Decided On : Sep-26-2025

Judge : Sachin Shankar Magadum

Appeal No. : CRL.P/5304/2025

Appellant : Vasudevareddy

Respondent : The State of Karnataka

Judgement :

-1-

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 26TH DAY OF SEPTEMBER, 2025 BEFORE THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM CRIMINAL PETITION NO. 5304 OF 2025 C/W CRIMINAL PETITION NO. 4471 OF 2025 CRIMINAL PETITION NO. 5529 OF 2025 CRIMINAL PETITION NO. 5612 OF 2025 IN CRL.P No. 5304/2025 BETWEEN:

1. VASUDEVAREDDY AGE 56 YEARS, OCE BUSINESS, R/O 59/22A, 16TH CROSS, 21 MAIN ROAD, VANGALAHALLI HSR LAYOUT, BANGALORE 560102

2. RAMYA,

W/O NARASIMHA MURTHY AGE 35 YEARS, OCC HOUSEWIFE R/O DHANAMITTENHALLI VILLAGE, KONAPALLI Digitally signed POST, HOSAKOTE, CHIKKABALLAPURA, KARNATAKA by AL BHAGYA 563125
Location: HIGH COURT OF 3. PALA RAGHAVENDRA YADAV, KARNATAKA S/O PALA LAKSMI NARASIAH. AGE 39 YEARS, OCC BUSINESS, R/O FLAT NO.201, SSVS YADADRI TOWERS, USHODYAYA COLONY, NEAR RAJAMANDANI SCHOOL, NIZAMABAD, TELANGANA- 503003 PETITIONERS (BY SRI. C.H. JADHAV, SENIOR ADVOCATE FOR SRI. CHETAN JADHAV, ADVOCATE) -2- AND:

1. THE STATE OF KARNATAKA BY MARATHAHALLI POLICE STATION REPRESENTED BY SPECIAL PUBLIC PROSECUTOR, HIGH COURT BUILDING, BANGALORE-560001.

2. SHANKAR J S/O LATE B JAYARAM NAIDU. AGE 44 YEARS, OCC BUSINESS, R/O 181, 18TH MAIN, HSR LAYOUT, 4TH SECTOR, BANGALORE CITY.560102

RESPONDENTS (BY SMT. RASHMI JADHAV, ADDL. SPP FOR R1; SRI. D.R. RAVISHANKAR, SENIOR ADVOCATE FOR SRI. SARAVANA .S, ADVOCATE FOR R2) THIS CRL.P IS FILED U/S.482(FILED U/S.528 BNSS)

CR.P.C PRAYING TO ALLOW THIS CRIMINAL PETITION AND QUASH THE FIR IN CRIME NO.708/2024 FOR THE OFFENCE P/US 329(3), 324(3)(5), 351(2), 352 OF BNS ALONG WITH OFFENCES P/US 318(4), 336(3), 338, 340(2) R/W SEC.3(5) OF BNS REGISTERED BY THE RESPONDENT NO.2 MARATHAHALLI POLICE STATION, NOW PENDING ON THE FILE OF THE 29th ADDL. CMM COURT MAYO HALL BENGALURU.

IN CRL.P NO. 4471/2025 BETWEEN:

1. MR. THULASI RAM .S @ S. THULASIRAM S/O LATE KRISHANA MANDATI AGED ABOUT 40 YEARS RESIDING AT NO 1-91, B C COLONY PALASAMUDRAM, CHITTTOR ANDHRA PRADESH -51599.

(ADDRESS AS PER ORDER SHEET) NO.2, 2ND MAIN ROAD MANGAMMANAPALYA MAIN ROAD -3- ITI LAYOUT SECTOR 7 HSR LAYOUT BANGALORE - 560068. ...PETITIONER (BY SRI. AFROZ PASHA, ADVOCATE) AND:

1. STATE OF KARNATAKA BY BANASWADI POLICE STATION REP. BY THE SPP HIGH COURT OF KARNATAKA HIGH COURT COMPLEX BANGALORE - 560001.

2. SRI. SATHISH KUMAR .N

S/O N. NARAYANASWAMY AGED ABOUT 39 YEARS GOVT OFFICIAL GAZETTE DEPUTY REGISTRAR OFFICE BANASWADI 9TH B MAIN HRBR LAYOUT 1ST BLOCK KALYANA NAGAR, BANGALORE - 560043. ...RESPONDENTS (BY SMT. RASHMI JADHAV, ADDL. SPP FOR R1; SRI. D.R. RAVISHANKAR, SENIOR ADVOCATE FOR SRI. SARAVANA .S, ADVOCATE FOR R2) THIS CRL.P IS FILED U/S 482 CR.PC (FILED U/S 528

BNSS) PRAYING TO QUASH THE FIR IN CRIME NO.100/2025 FOR ALLEGED OFFENCES P/U/S 82, 83 OF THE REGISTRATION ACTS-1908 AND SEC.336(2), 336(3), 340(2) OF BNS (BNS OFFENCES ADDED IN THE ORDER SHEET) REGISTERED BY THE RESPONDENT POLICE I.E. BANASWADI POLICE STATION, PENDING ON THE FILE OF THE HONBLE XI ADDL. CHIEF METROPOLITAN MAGISTRATE AT BANGALORE.

IN CRL.P NO. 5529/2025 BETWEEN:

1. MR. SUDHAKAR @ THOKALA SUDHAKAR S/O. BHASKAR CHOWDARI THOKALA AGED ABOUT 53 YEARS -4- ADDRESS AS PER FIR RESIDING AT NO. 406 VANDHANA PRIMAROSE APARTMENTS 13TH MAIN, 3RD SECTOR, HSR LAYOUT BANGALORE SOUTH, BENGALURU-560 102. ...PETITIONER (BY SRI. AFROZ PASHA, ADVOCATE) AND:

1. STATE OF KARNATAKA BY BANASWADI POLICE STATION REP. BY THE STATE P.P. HIGH COURT OF KARNATAKA HIGH COURT COMPLEX BANGALORE-560 001.

2. SRI. SATHISH KUMAR .N

S/O. N. NARAYANASWAMY AGED ABOUT 39 YEARS GOVT OFFICIAL GAZETTE DEPUTY REGISTRAR OFFICE BANASWADI 9TH B MAIN HRBR LAYOUT, 1ST BLOCK KALYANA NAGAR, BANGALORE-560 043. ...RESPONDENTS (BY SMT. RASHMI JADHAV, ADDL SPP FOR R1; SRI. SARAVANA .S, ADVOCATE FOR R2) THIS CRL.P IS FILED U/S 482 CR.PC (FILED U/S 528

BNSS) PRAYING TO QUASH THE FIR IN CR.NO.100/2025 FOR ALLEGED OFFENCE P/U/S 82, 83 OF THE REGISTRATION ACTS 1908 AND SEC. 336(2), 336(3), 340(2) OF BNS, (BNS OFFENCES ADDED IN THE ORDER SHEET) REGISTERED BY THE RESPONDENT POLICE I.E., BANASWADI POLICE STATION, PENDING ON THE FILE OF THE HONBLE XI ADDL. CMM AT BANGALORE.

IN CRL.P NO. 5612/2025 BETWEEN:

1. SUDHAKAR .T S/O BHASKAR CHOWDHARY THOKALA -5- AGE 52 YEARS OCC: BUSINESS R/O 406, VANDANA PRIMROSE APARTMENT YELUKUN, HSR LAYOUT 3RD SECTOR HSR LAYOUT, BANGALORE-560102. ...PETITIONER (BY SRI. C.H. JADHAV, SENIOR ADVOCATE FOR SRI. CHETHAN JADHAV, ADVOCATE) AND:

1. THE STATE OF KARNATAKA BY MARATHAHALLI POLICE STATION REPRESENTED BY STATE PUBLIC PROSECUTOR HIGH COURT BUILDING, BANGALORE-560001.

2. SHANKAR .J S/O LATE B. JAYARAM NAIDU AGE 44 YEARS OCC: BUSINESS R/O 181, 18TH MAIN, HSR LAYOUT 4TH SECTOR, BANGALORE CITY-560102. ...RESPONDENTS (BY SMT. RASHMI JADHAV, ADDL. SPP FOR R1; R2 - SERVED) THIS CRL.P IS FILED U/S 482 CR.PC (FILED U/S 528

BNNS) PRAYING TO ALLOW THIS CRIMINAL PETITION AND QUASH THE FIR IN CR. NO.708/24 FOR THE OFFENCES PUNISHABLE UNDER SECTIONS 329(3), 324(3) (5), 351(2), 352 OF BNS ALONG WITH OFFENCES PUNISHABLE

UNDER SECTIONS 318(4), 336(3), 338, 340(2) R/W 3(5) OF BNS, REGISTERED BY RESPONDENT NO.2 MARATHAHALLI P.S NOW PENDING ON THE FILE OF THE 29TH ACJM BANGALORE.

THESE PETITIONS, COMING ON FOR DICTATING ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER: CORAM: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM -6-

ORAL ORDER

All these petitions are taken up together as common issue is involved and the registration of crime are directly linked to deed of cancellation of sale deed obtained by accused No.1, who is one of the partner of M/s. JPR Infra projects and consequent, sale deed executed by accused No.2 in favour of accused Nos.3 to 5.

2. The facts leading to the case are as under:

It is not in dispute that the disputed property was acquired by the partnership firm, M/s. JPR Infra Projects, under a registered sale deed dated 28.12.2021 executed by one Sudhakar (Accused No.2/A-2). The title of the firm to the property is undisputed.

3. Accused No.1, a partner of the said firm, based

on an authorization letter dated 31.07.2022, executed a deed of cancellation of the sale deed in favour of the original owner, Sudhakar (A-2). Subsequently, relying on -7- the deed of cancellation, Accused No.2 conveyed the property to Accused Nos.3 to 5.

4. Respondent No.2/complainant, who is also a

partner of the firm, lodged a police complaint alleging forgery and cheating, which resulted in the registration of Crime No.708/2024 against Accused Nos.1 to 5.

5. Upon receipt of the complaint, the jurisdictional Sub-Registrar lodged a separate complaint under Sections 82 and 84 of the Registration Act, which was registered as Cr.No.100/2025 against Accused Nos.1 and 2.

6. CrI.P.5304/2025 has been filed by Accused

Nos.3 to 5, the subsequent purchasers, seeking quashing of the proceedings in Cr.No.708/2024 on the ground that they are bona fide purchasers and no offence is made out against them. -8-

7. CrI.P.5612/2025 has been filed by Accused No.2/Sudhakar, the original owner, seeking quashing of the proceedings in Cr.No.708/2024.

8. CrI.P.4471/2025 has been filed by Accused No.1

seeking quashing of the proceedings in Cr.No.100/2025 under Sections 82 and 83 of the Registration Act, on the ground that registration of a second crime amounts to multiple FIRs and constitutes an abuse of the process of law, as held by the Apex Court in Tarak Dash Mukharjee & Others v. State of Uttar Pradesh¹ .

9. Similarly, Accused No.2 has filed CrI.P.5529/2025 seeking quashing of the proceedings in Cr.No.100/2025 under Sections 82 and 83 of the Registration Act, 1908, raising similar grounds.

10. Learned Senior Counsel, Sri C.H. Jadhav, appearing for the accused, reiterates that the dispute is

essentially civil in nature and submits that, in the facts

[2022 LiveLaw (SC) 731]. -9- and circumstances of the case, this Court may exercise its powers under Section 482 of the Cr.P.C. to grant indulgence and quash the proceedings.

11. The learned Senior Counsel has placed reliance on the following judgments:

"1. Mohammed Ibrahim and others .vs. State of Bihar [(2009) 8 SCC 751;

2. Jit Vinayak Arolkar .vs. State of Goa and Others [2025 ISC 31]

3. S.S. Janagarajan .vs. The State of Tamil Nadu and another [2018 SCC Online Mad 2874}

4. P. Ramdev & Others .vs. State of Telangana [W.P.No.12428/2015 of Telangana High Court]

5. Bimal Singh Manoth .vs. State of Karnataka and another [Crl.P.No.1576/2017]

6. Tarak Dash Mukharjee and others .vs. State of Uttar Pradesh and Others [Crl.A.No.1400/2022]

7. State of Rajasthan .vs. Surendra

[Crl.SLP.No.16358/2024]" The learned Senior Counsel submits that criminal proceedings cannot be initiated or misused as a tool to - 10 - settle scores or to coerce parties into compromising civil disputes. Relying on the principles of sameness laid down by the Apex Court, he contends that the registration of a second FIR at the instance of the Sub-Registrar was wholly unwarranted. Subjecting the accused to multiple criminal prosecutions arising from the same incident prejudices their rights, and therefore, he requests this Court to quash the proceedings.

12. The learned Senior Counsel further submits,

with reference to the records, that Accused Nos.3 to 5 are bonafide purchasers. Since no offence is made out against them, he urges this Court to quash the proceedings as against the bonafide purchasers/petitioners in Crl.P.No.5304/2025.

13. In reply, learned Senior Counsel for Respondent

No.2/complainant contends that the subsequent purchasers have not obtained the original title deeds, and having entered into the transaction with full knowledge - 11 - that the property vests with the firm, they are bound to face trial. He further submits that Accused No.1, a partner of the firm, forged the letter of authorization, and based on the same, Accused Nos.1 and 2 collusively executed a deed of cancellation of the sale deed dated 12.11.2024 in favour of the original owner, i.e., Accused No.2. Since these transactions were effected fraudulently and involve forgery relating to immovable property owned by the firm, the matter merits full consideration.

14. While countering the petitioners contention

regarding multiple FIRs, he points out that the complaint culminating in Cr.No.100/2025 was registered by the Sub- Registrar. The first crime relates to offences under the IPC, whereas the second crime pertains to offences punishable under Sections 82 and 84 of the Registration Act, 1908, registered at the instance of the Sub-Registrar. - 12 -

15. Heard the learned HCGP and Senior Counsel appearing for the respective parties, and perused the records.

16. On perusal of all four petitions, it is observed

that the petition filed by Accused No.1 seeking quashing of the proceedings pending in Cr.No.708/2024 for offences punishable under Sections 329, 324, 351, and 352 has already been quashed by this Court in Crl.P.No.4875/2025. The core allegation in the complaint that led to the registration of Crime No.708/2024 is that Accused No.1 forged a letter of authorization, and based on the same, obtained the cancellation of the sale deed executed by the firm. By virtue of this cancellation, it is alleged that the property of the firm was re-conveyed to the original owner, i.e., Accused No.2.

17. In view of the above, it is crucial that a proper

investigation be conducted to determine whether Accused No.1, being a partner of the firm, could have fraudulently - 13 - secured the cancellation of the sale deed based on the forged letter of authorization. The allegations of forgery and misappropriation of the firms property require thorough investigation by the Investigating Officer. Since the Co-ordinate Bench has declined to grant any indulgence to Accused No.1, it follows that Accused No.2, against whom the same set of allegations are levelled, must also be subjected to investigation to ascertain his role in the alleged misconduct.

18. With regard to Accused Nos.3 to 5, the firm

asserts that the original title documents remain in its possession. Therefore, whether Accused Nos.3 to 5 were involved in acquiring a property that was illegally and illegitimately re-conveyed to Accused No.2, or whether they were privy to the alleged fraudulent transactions, is a matter that falls squarely within the scope of investigation. The Investigating Officer is required to ascertain the bona fides of the subsequent purchasers and determine whether - 14 - any offence has been committed against the firm in relation to the transfer of the disputed property.

19. Regarding maintainability of proceedings in Cr.No.100/2025:

(i) The primary grievance of Accused Nos.1 and 2

is that they are already facing proceedings in Cr.No.708/2024 for offences punishable under Sections 329, 324(3)(5), 351(2), and 352 of the Bharatiya Nyaya Sanhita, 2023. They contend that the complaint lodged by the jurisdictional Sub-Registrar, arising out of the same incident, has resulted in the registration of multiple FIRs. Reliance is placed on the principle of fairness laid down by the Apex Court in *T.T. Anthony v. State of Kerala and Others*², to contend that the second complaint ought to be quashed as it allegedly constitutes successive FIRs for the same transaction.

(2001) 6 SCC 181 - 15 -

(ii) However, upon a closer examination of the

record relating to Cr.No.100/2025, it is evident that Accused Nos.1 and 2 are now facing criminal proceedings for offences punishable under Sections 82 and 84 of the Registration Act, 1908. It is well settled that the Sub- Registrar, as a competent authority under the Registration Act, is empowered to lodge a complaint upon receiving information about the commission of offences under the Act. The offences under Sections 82 and 84 of the Registration Act are independent in nature and distinct from the offences under the IPC/BNS, 2023 alleged in Cr.No.708/2024. Consequently, the registration of Cr.No.100/2025 cannot be construed as a successive FIR arising from the same incident, and therefore, the contention seeking quashing on this ground is unsustainable.

20. Notwithstanding the above, in the interest of

justice and to ensure procedural fairness, it is directed that, if a charge sheet is filed in Cr.No.100/2025, the - 16 - jurisdictional Magistrate before whom the proceedings in Cr.No.708/2024 are pending shall take appropriate steps to coordinate and consolidate the trials. Both proceedings shall be conducted simultaneously, to the extent possible, so as to avoid duplication and ensure that the rights of all parties are adequately protected.

21. In view of the foregoing observations, all the

petitions are dismissed, with the clarification that offences under Sections 82 and 84 of the Registration Act are independent in nature and separate from the offences alleged under the BNS, 2023 in Cr.No.708/2024. Sd/- (SACHIN SHANKAR MAGADUM) JUDGE ALB List No.: 1 SI No.: 1

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