



NC: 2023:KHC-K:1155
CRL.P No. 200847 of 2022
C/W CRL.P No. 200848 of 2022
CRL.P No. 200849 of 2022
CRL.P No. 200850 of 2022
CRL.P No. 200851 of 2022
CRL.P No. 200852 of 2022
CRL.P No. 200853 of 2022
CRL.P No. 200854 of 2022
CRL.P No. 200855 of 2022
CRL.P No. 200856 of 2022
CRL.P No. 200857 of 2022
CRL.P No. 200858 of 2022
CRL.P No. 200872 of 2022
CRL.P No. 200873 of 2022
CRL.P No. 200874 of 2022
CRL.P No. 200875 of 2022
CRL.P No. 200876 of 2022
CRL.P No. 200877 of 2022
CRL.P No. 200878 of 2022

IN THE HIGH COURT OF KARNATAKA, KALABURAGI BENCH
DATED THIS THE 16TH DAY OF JUNE, 2023
BEFORE
THE HON'BLE MR. JUSTICE HEMANT CHANDANGOUDAR
CRIMINAL PETITION NO. 200847 OF 2022 (482-)

C/W

CRIMINAL PETITION NO. 200848 OF 2022
CRIMINAL PETITION NO. 200849 OF 2022
CRIMINAL PETITION NO. 200850 OF 2022
CRIMINAL PETITION NO. 200851 OF 2022
CRIMINAL PETITION NO. 200852 OF 2022
CRIMINAL PETITION NO. 200853 OF 2022
CRIMINAL PETITION NO. 200854 OF 2022
CRIMINAL PETITION NO. 200855 OF 2022
CRIMINAL PETITION NO. 200856 OF 2022
CRIMINAL PETITION NO. 200857 OF 2022
CRIMINAL PETITION NO. 200858 OF 2022
CRIMINAL PETITION NO. 200872 OF 2022





NC: 2023:KHC-K:1155
CRL.P No. 200847 of 2022
C/W CRL.P No. 200848 of 2022
CRL.P No. 200849 of 2022
CRL.P No. 200850 of 2022
CRL.P No. 200851 of 2022
CRL.P No. 200852 of 2022
CRL.P No. 200853 of 2022
CRL.P No. 200854 of 2022
CRL.P No. 200855 of 2022
CRL.P No. 200856 of 2022
CRL.P No. 200857 of 2022
CRL.P No. 200858 of 2022
CRL.P No. 200872 of 2022
CRL.P No. 200873 of 2022
CRL.P No. 200874 of 2022
CRL.P No. 200875 of 2022
CRL.P No. 200876 of 2022
CRL.P No. 200877 of 2022
CRL.P No. 200878 of 2022

CRIMINAL PETITION NO. 200873 OF 2022

CRIMINAL PETITION NO. 200874 OF 2022

CRIMINAL PETITION NO. 200875 OF 2022

CRIMINAL PETITION NO. 200876 OF 2022

CRIMINAL PETITION NO. 200877 OF 2022

CRIMINAL PETITION NO. 200878 OF 2022

Crl.P No.200847/2022

BETWEEN:

1. SRI. VISHWANATH C. TARALI, S/O CHINTAMANI B. TARALI, AGED ABOUT 45 YEARS, OCC. PRIVATE SERVICE, R/O CTS-1817, SOMAWARPETH, GOKAK-591307, DIST. BELGAUM.

...PETITIONER

(BY SRI. S S MAMADAPUR,ADVOCATE)

AND:

1. THE STATE OF KARNATAKA, THROUGH GANDHI CHOWK POLICE STATION, VIJAYPUR, REP BY ITS STATE PUBLIC PROSECUTOR, ADVOCATE GENERAL OFFICE, HIGH COURT BUILDING, KALABURAGI-585102.



NC: 2023:KHC-K:1155
CRL.P No. 200847 of 2022
C/W CRL.P No. 200848 of 2022
CRL.P No. 200849 of 2022
CRL.P No. 200850 of 2022
CRL.P No. 200851 of 2022
CRL.P No. 200852 of 2022
CRL.P No. 200853 of 2022
CRL.P No. 200854 of 2022
CRL.P No. 200855 of 2022
CRL.P No. 200856 of 2022
CRL.P No. 200857 of 2022
CRL.P No. 200858 of 2022
CRL.P No. 200872 of 2022
CRL.P No. 200873 of 2022
CRL.P No. 200874 of 2022
CRL.P No. 200875 of 2022
CRL.P No. 200876 of 2022
CRL.P No. 200877 of 2022
CRL.P No. 200878 of 2022

2. MALAKAPPA S/O. SHARANAPPA RAMAGONDA
AGE. MAJOR, OCC. I.T. OFFICER
OFFICE OF INCOME TAX, WARD NO.2, VIJAYAPUR.

...RESPONDENTS

(BY SRI. GURURAJ V. HASILKAR,HCGP FOR R1;
BY SRI. Y V. RAVIRAJ, ADVOCATE FOR R2)

THIS CRL.P IS FILED U/S.482 OF CR.P.C. BY THE
ADVOCATE FOR THE PETITIONER PRAYING TO, QUASH THE
PROCEEDINGS IN C.C NOL. 1030/2012 REGISTERED FOR THE
OFFENCES PUNISHABLE U/SEC. 109, 177, 192, 196, 417, 420,
463, 464, R/W SEC. 34 OF IPC, IN CRIME NO. 121/2010 OF
G.C. POLICE STATION, VIJAYAPUR, PENDING ON THE FILE OF
THE HONOURABLE ADDL. CIVIL JUDGE AND JMFC-I,
VIJAYAPUR, IN THE INTEREST OF JUSTICE AND EQUITY.

In Crl. P No. 200848 OF 2022

BETWEEN:

1. SRI. VISHWANATH C. TARALI, S/O CHINTAMANI B.
TARALI, AGED ABOUT 45 YEARS,
OCC. PRIVATE SERVICE, R/O CTS-1817,
SOMAWARPETH, GOKAK-591307, DIST. BELGAUM.

...PETITIONER

(BY SRI. S S MAMADAPUR,ADVOCATE)



NC: 2023:KHC-K:1155
CRL.P No. 200847 of 2022
C/W CRL.P No. 200848 of 2022
CRL.P No. 200849 of 2022
CRL.P No. 200850 of 2022
CRL.P No. 200851 of 2022
CRL.P No. 200852 of 2022
CRL.P No. 200853 of 2022
CRL.P No. 200854 of 2022
CRL.P No. 200855 of 2022
CRL.P No. 200856 of 2022
CRL.P No. 200857 of 2022
CRL.P No. 200858 of 2022
CRL.P No. 200872 of 2022
CRL.P No. 200873 of 2022
CRL.P No. 200874 of 2022
CRL.P No. 200875 of 2022
CRL.P No. 200876 of 2022
CRL.P No. 200877 of 2022
CRL.P No. 200878 of 2022

AND:

1. THE STATE OF KARNATAKA,
THROUGH GANDHI CHOWK
POLICE STATION, VIJAYAPUR
REP BY ITS STATE PUBLIC PROSECUTOR, ADVOCATE
GENERAL OFFICE, HIGH COURT BUILDING,
KALABUAGI-585102.
2. MALAKAPPA S/O SHARANAPPA RAMAGONDA
AGE. MAJOR, OCC. I.T. OFFICER
OFFICE OF INCOME TAX, WARD NO.2, VIJAYAPUR.

...RESPONDENTS

(BY SRI GURURAJ V.HASILKAR,HCGP FOR R1;
NOTICE TO R2 SERVED)

THIS CRL.P IS FILED U/S.482 OF CR.P.C. BY THE
ADVOCATE FOR THE PETITIONER PRAYING TO,QUASH THE
PROCEEDINGS IN C.C NOL.1031/2012 REGISTERED FOR THE
OFFENCES PUNISHABLE U/SEC. 109, 177, 192, 196, 417, 420,
463, 464, R/W SEC. 34 OF IPC, IN CRIME NO. 122/2010 OF
G.C. POLICE STATION, VIJAYAPUR, PENDING ON THE FILE OF
THE HONOURABLE ADDL. CIVIL JUDGE AND JMFC-I,
VIJAYAPUR, IN THE INTEREST OF JUSTICE AND EQUITY.



NC: 2023:KHC-K:1155
CRL.P No. 200847 of 2022
C/W CRL.P No. 200848 of 2022
CRL.P No. 200849 of 2022
CRL.P No. 200850 of 2022
CRL.P No. 200851 of 2022
CRL.P No. 200852 of 2022
CRL.P No. 200853 of 2022
CRL.P No. 200854 of 2022
CRL.P No. 200855 of 2022
CRL.P No. 200856 of 2022
CRL.P No. 200857 of 2022
CRL.P No. 200858 of 2022
CRL.P No. 200872 of 2022
CRL.P No. 200873 of 2022
CRL.P No. 200874 of 2022
CRL.P No. 200875 of 2022
CRL.P No. 200876 of 2022
CRL.P No. 200877 of 2022
CRL.P No. 200878 of 2022

In Crl.P NO. 200849 OF 2022

BETWEEN:

1. SRI. VISHWANATH C. TARALI, S/O CHINTAMANI B.
TARALI, AGED ABOUT 45 YEARS,
OCC. PRIVATE SERVICE, R/O CTS-1817,
SOMAWARPETH, GOKAK-591307, DIST. BELGAUM.

...PETITIONER

(BY SRI. S S MAMADAPUR,ADVOCATE)

AND:

1. THE STATE OF KARNATAKA, THROUGH GANDHI
CHOWK, POLICE STATION, VIJAYAPUR
REP BY ITS STATE PUBLIC PROSECUTOR, ADVOCATE
GENERAL OFFICE, HIGH COURT BUILDING,
KALABURAGI-585102.
2. MALAKAPPA S/O SHARANAPPA RAMAGONDA
AGE. MAJOR, OCC. I.T. OFFICER
OFFICE OF INCOME TAX,WARD NO.2,VIJAYAPUR.

...RESPONDENTS

(BY SRI GURURAJ V. HASILKAR,HCGP FOR R1;
NOTICE TO R2 SERVED.)



NC: 2023:KHC-K:1155
CRL.P No. 200847 of 2022
C/W CRL.P No. 200848 of 2022
CRL.P No. 200849 of 2022
CRL.P No. 200850 of 2022
CRL.P No. 200851 of 2022
CRL.P No. 200852 of 2022
CRL.P No. 200853 of 2022
CRL.P No. 200854 of 2022
CRL.P No. 200855 of 2022
CRL.P No. 200856 of 2022
CRL.P No. 200857 of 2022
CRL.P No. 200858 of 2022
CRL.P No. 200872 of 2022
CRL.P No. 200873 of 2022
CRL.P No. 200874 of 2022
CRL.P No. 200875 of 2022
CRL.P No. 200876 of 2022
CRL.P No. 200877 of 2022
CRL.P No. 200878 of 2022

THIS CRL.P IS FILED U/S.482 OF CR.P.C. BY THE ADVOCATE FOR THE PETITIONER PRAYING TO, QUASH THE PROCEEDINGS IN C.C NOL.1032/2012 REGISTERED FOR THE OFFENCES PUNISHABLE U/SEC. 109, 177, 192, 196, 417, 420, 463, 464, R/W SEC. 34 OF IPC, IN CRIME NO. 134/2010 OF G.C. POLICE STATION, VIJAYAPUR, PENDING ON THE FILE OF THE HONOURABLE ADDL. CIVIL JUDGE AND JMFC-I, VIJAYAPUR, IN THE INTEREST OF JUSTICE AND EQUITY.

In Crl. P No. 200850 OF 2022

BETWEEN:

1. SRI. VISHWANATH C. TARALI, S/O CHINTAMANI B. TARALI, AGED ABOUT 45 YEARS, OCC. PRIVATE SERVICE, R/O CTS-1817, SOMAWARPETH, GOKAK-591307, DIST. BELGAUM.

...PETITIONER

(BY SRI S S MAMADAPUR,ADVOCATE)

AND:

1. THE STATE OF KARNATAKA, THROUGH GANDHI CHOWK POLICE STATION, VIJAYPUR, REP BY ITS STATE PUBLIC PROSECUTOR, ADVOCATE GENERAL OFFICE, HIGH COURT BUILDING, KALABURAGI-585102.



NC: 2023:KHC-K:1155
CRL.P No. 200847 of 2022
C/W CRL.P No. 200848 of 2022
CRL.P No. 200849 of 2022
CRL.P No. 200850 of 2022
CRL.P No. 200851 of 2022
CRL.P No. 200852 of 2022
CRL.P No. 200853 of 2022
CRL.P No. 200854 of 2022
CRL.P No. 200855 of 2022
CRL.P No. 200856 of 2022
CRL.P No. 200857 of 2022
CRL.P No. 200858 of 2022
CRL.P No. 200872 of 2022
CRL.P No. 200873 of 2022
CRL.P No. 200874 of 2022
CRL.P No. 200875 of 2022
CRL.P No. 200876 of 2022
CRL.P No. 200877 of 2022
CRL.P No. 200878 of 2022

2. MALAKAPPA S/O SHARANAPPA RAMAGONDA
AGE. MAJOR, OCC. I.T. OFFICER
OFFICE OF INCOME TAX, WARD NO.2, VIJAYAPUR.

...RESPONDENTS

(BY SRI GURURAJ V. HASILKAR, HCGP FOR R1;
NOTICE TO R2 SERVED)

THIS CRL.P IS FILED U/S.482 OF CR.P.C. BY THE
ADVOCATE FOR THE PETITIONER PRAYING TO, STAY ALL
FURTHER PROCEEDINGS IN C.C. NO.1033/2012 PENDING ON
THE FILE OF THE HONOURABLE I ADDL. CIVIL JUDGE AND
JMFC-I, VIJAYPUR, FOR THE OFFENCES PUNISHABLE UNDER
SECTION 109, 177, 192, 196, 417, 420, 463, 464 R/W
SECTION 34 OF THE INDIAN PENAL CODE PENDING DISPOSAL
OF THIS CRIMINAL PETITION IN THE INTEREST OF JUSTICE
AND EQUITY.

In Crl. P No.200851 OF 2022

BETWEEN:

1. SRI. VISHWANATH C. TARALI, S/O CHINTAMANI B.
TARALI, AGED ABOUT 45 YEARS, OCC. PRIVATE
SERVICE, R/O CTS-1817, SOMAWARPETH,
GOKAK-591307, DIST. BELGAUM.

...PETITIONER

(BY SRI. S S MAMADAPUR, ADVOCATE)



NC: 2023:KHC-K:1155
CRL.P No. 200847 of 2022
C/W CRL.P No. 200848 of 2022
CRL.P No. 200849 of 2022
CRL.P No. 200850 of 2022
CRL.P No. 200851 of 2022
CRL.P No. 200852 of 2022
CRL.P No. 200853 of 2022
CRL.P No. 200854 of 2022
CRL.P No. 200855 of 2022
CRL.P No. 200856 of 2022
CRL.P No. 200857 of 2022
CRL.P No. 200858 of 2022
CRL.P No. 200872 of 2022
CRL.P No. 200873 of 2022
CRL.P No. 200874 of 2022
CRL.P No. 200875 of 2022
CRL.P No. 200876 of 2022
CRL.P No. 200877 of 2022
CRL.P No. 200878 of 2022

AND:

1. THE STATE OF KARNATAKA
THROUGH GANDHI CHOWK, POLICE STATION,
VIJAYAPUR, REP BY ITS STATE PUBLIC PROSECUTOR,
ADVOCATE GENERAL OFFICE, HIGH COURT
BUILDING,KALABURAGI-585102.
2. MALAKAPPA S/O SHARANAPPA RAMAGOND
AGE. MAJOR, OCC. I.T. OFFICER, OFFICE OF INCOME
TAX,WARD NO.2, VIJAYAPUR.

...RESPONDENTS

(BY SRI GURURAJ V. HASILKAR,HCGP FOR R1;
NOTICE TO R2 SERVED

THIS CRL.P IS FILED U/S.482 OF CR.P.C. BY THE
ADVOCATE FOR THE PETITIONER PRAYING TO, QUASH THE
PROCEEDINGS IN C.C NO. 1395/2012 REGISTERED FOR THE
OFFENCES PUNISHABLE U/SEC. 109, 177, 192, 196, 417, 420,
463, AND 464, R/W 34 OF IPC, OUT OF CRIME NO. 136/2010
OF GANDHI CHOWK POLICE STATION, DISTRICT-VIJAYAPUR,
PENDING ON THE FILE OF THE HONOURABLE ADDL. CIVIL
JUDGE AND JMFC-I. IN THE INTEREST OF JUSTICE AND
EQUITY.



NC: 2023:KHC-K:1155
CRL.P No. 200847 of 2022
C/W CRL.P No. 200848 of 2022
CRL.P No. 200849 of 2022
CRL.P No. 200850 of 2022
CRL.P No. 200851 of 2022
CRL.P No. 200852 of 2022
CRL.P No. 200853 of 2022
CRL.P No. 200854 of 2022
CRL.P No. 200855 of 2022
CRL.P No. 200856 of 2022
CRL.P No. 200857 of 2022
CRL.P No. 200858 of 2022
CRL.P No. 200872 of 2022
CRL.P No. 200873 of 2022
CRL.P No. 200874 of 2022
CRL.P No. 200875 of 2022
CRL.P No. 200876 of 2022
CRL.P No. 200877 of 2022
CRL.P No. 200878 of 2022

IN Crl. P No. 200852 OF 2022

BETWEEN:

1. SRI. VISHWANATH C. TARALI, S/O CHINTAMANI B.
TARALI, AGED ABOUT 45 YEARS,
OCC. RIVATE SERVICE, RO CTS-1817,
SOMAWARPETH, GOKAK-591307, DIST. BELGAUM.

...PETITIONER

(BY SRI. S S MAMADAPUR,ADVOCATE)

AND:

1. THE STATE OF KARNATAKA, THROUGH GANDHI
CHOWK, POLICE STATION, VIJAYAPUR
REP BY ITS STATE PUBLIC PROSECUTOR, ADVOCATE
GENERAL'S OFFICE, HIGH COURT BUILDING,
KALABURAGI-585102.
2. MALAKAPPA S/O SHARANAPPA RAMGONDA
AGE. MAJOR, OCC. I.T. OFFICER
OFFICE OF INCOME TAX,WARD NO.2,VIJAYAPUR.

...RESPONDENTS

(BY SRI GURURAJ V. HASILKAR,HCGP FOR R1;
NOTICE TO R2 SERVED)



NC: 2023:KHC-K:1155
CRL.P No. 200847 of 2022
C/W CRL.P No. 200848 of 2022
CRL.P No. 200849 of 2022
CRL.P No. 200850 of 2022
CRL.P No. 200851 of 2022
CRL.P No. 200852 of 2022
CRL.P No. 200853 of 2022
CRL.P No. 200854 of 2022
CRL.P No. 200855 of 2022
CRL.P No. 200856 of 2022
CRL.P No. 200857 of 2022
CRL.P No. 200858 of 2022
CRL.P No. 200872 of 2022
CRL.P No. 200873 of 2022
CRL.P No. 200874 of 2022
CRL.P No. 200875 of 2022
CRL.P No. 200876 of 2022
CRL.P No. 200877 of 2022
CRL.P No. 200878 of 2022

THIS CRL.P IS FILED U/S.482 OF CR.P.C. BY THE ADVOCATE FOR THE PETITIONER PRAYING TO, QUASH THE PROCEEDINGS IN C.C NO. 1394/2012 REGISTERED FOR THE OFFENCES PUNISHABLE U/SEC. 109, 177, 192, 196, 417, 420, 463, AND 464, R/W 34 OF IPC, OUT OF CRIME NO. 133/2010 OF GANDHI CHOWK POLICE STATION, DISTRICT-VIJAYAPUR, PENDING ON THE FILE OF THE HONOURABLE ADDL. CIVIL JUDGE AND JMFC-I. IN THE INTEREST OF JUSTICE AND EQUITY.

In Crl.P No. 200853 OF 2022

BETWEEN:

1. SRI. VISHWANATH C. TARALI
S/O CHINTAMANI B. TARALI,
AGED ABOUT 45 YEARS,
OCC. PRIVATE SERVICE,
R/O CTS-1817, SOMAWARPETH, GOKAK-591307,
DIST. BELGAUM.

...PETITIONER

(BY SRI. S S MAMADAPUR,ADVOCATE)



NC: 2023:KHC-K:1155
CRL.P No. 200847 of 2022
C/W CRL.P No. 200848 of 2022
CRL.P No. 200849 of 2022
CRL.P No. 200850 of 2022
CRL.P No. 200851 of 2022
CRL.P No. 200852 of 2022
CRL.P No. 200853 of 2022
CRL.P No. 200854 of 2022
CRL.P No. 200855 of 2022
CRL.P No. 200856 of 2022
CRL.P No. 200857 of 2022
CRL.P No. 200858 of 2022
CRL.P No. 200872 of 2022
CRL.P No. 200873 of 2022
CRL.P No. 200874 of 2022
CRL.P No. 200875 of 2022
CRL.P No. 200876 of 2022
CRL.P No. 200877 of 2022
CRL.P No. 200878 of 2022

AND:

1. THE STATE OF KARNATAKA THROUGH GANDHI
CHOWK POLICE STATION, VIJAYPUR
REP BY ITS STATE PUBLIC PROSECUTOR, ADVOCATE
GENERAL OFFICE, HIGH COURT BUILDING
KALABURAGI-585102.
2. MALAKAPPA S/O SHARANAPPA RAMAGONDA
AGE. MAJOR, OCC. I.T. OFFICER
OFFICE OF INCOME TAX, WARD NO.2, VIJAYAPUR.

...RESPONDENTS

(BY SRI GURURAJ V. HASILKAR, HCGP FOR R1;
NOTICE TO R2 SERVED)

THIS CRL.P IS FILED U/S.482 OF CR.P.C. BY THE
ADVOCATE FOR THE PETITIONER PRAYING TO, QUASH THE
PROCEEDINGS IN C.C NO. 1034/2012 REGISTERED FOR THE
OFFENCES PUNISHABLE U/SEC. 109, 177, 192, 196, 417, 420,
463, AND 464, R/W 34 OF IPC, OUT OF CRIME NO. 138/2010
OF GANDHI CHOWK POLICE STATION, DISTRICT-VIJAYAPUR,
PENDING ON THE FILE OF THE HONOURABLE ADDL. CIVIL
JUDGE AND JMFC-I. IN THE INTEREST OF JUSTICE AND
EQUITY.



NC: 2023:KHC-K:1155
CRL.P No. 200847 of 2022
C/W CRL.P No. 200848 of 2022
CRL.P No. 200849 of 2022
CRL.P No. 200850 of 2022
CRL.P No. 200851 of 2022
CRL.P No. 200852 of 2022
CRL.P No. 200853 of 2022
CRL.P No. 200854 of 2022
CRL.P No. 200855 of 2022
CRL.P No. 200856 of 2022
CRL.P No. 200857 of 2022
CRL.P No. 200858 of 2022
CRL.P No. 200872 of 2022
CRL.P No. 200873 of 2022
CRL.P No. 200874 of 2022
CRL.P No. 200875 of 2022
CRL.P No. 200876 of 2022
CRL.P No. 200877 of 2022
CRL.P No. 200878 of 2022

In Crl. P. No. 200854 OF 2022

BETWEEN:

1. SRI. VISHWANATH C. TARALI, S/O CHINTAMANI B. TARALI, AGED ABOUT 45 YEARS, OCC. PRIVATE SERVICE, R/O CTS-1817, SOMAWARPETH, GOKAK-591307, DIST. BELGAUM.

...PETITIONER

(BY SRI. S S MAMADAPUR,ADVOCATE)

AND:

1. THE STATE OF KARNATAKA THROUGH GANDHI CHOWK POLICE STATION, VIJAYPUR, REP BY ITS STATE PUBLIC PROSECUTOR, ADVOCATE GENERAL OFFICE, HIGH COURT BUILDING, KALABURAGI-585102.
2. MALAKAPPA S/O SHARANAPPA RAMAGONDA AGE. MAJOR, OCC. I.T. OFFICER, OFFICE OF INCOME TAX,WARD NO.2, VIJAYAPUR.

...RESPONDENTS

(BY SRI GURURAJ V. HASILKAR,HCGP FOR R1;
NOTICE TO R2 SERVED)



NC: 2023:KHC-K:1155
CRL.P No. 200847 of 2022
C/W CRL.P No. 200848 of 2022
CRL.P No. 200849 of 2022
CRL.P No. 200850 of 2022
CRL.P No. 200851 of 2022
CRL.P No. 200852 of 2022
CRL.P No. 200853 of 2022
CRL.P No. 200854 of 2022
CRL.P No. 200855 of 2022
CRL.P No. 200856 of 2022
CRL.P No. 200857 of 2022
CRL.P No. 200858 of 2022
CRL.P No. 200872 of 2022
CRL.P No. 200873 of 2022
CRL.P No. 200874 of 2022
CRL.P No. 200875 of 2022
CRL.P No. 200876 of 2022
CRL.P No. 200877 of 2022
CRL.P No. 200878 of 2022

THIS CRL.P IS FILED U/S.482 OF CR.P.C. BY THE ADVOCATE FOR THE PETITIONER PRAYING TO, QUASH THE PROCEEDINGS IN C.C NO. 1035/2012 REGISTERED FOR THE OFFENCES PUNISHABLE U/SEC. 109, 177, 192, 196, 417, 420, 463, AND 464, R/W 34 OF IPC, OUT OF CRIME NO. 126/2010 OF GANDHI CHOWK POLICE STATION, DISTRICT-VIJAYAPUR, PENDING ON THE FILE OF THE HONOURABLE ADDL. CIVIL JUDGE AND JMFC-I. IN THE INTEREST OF JUSTICE AND EQUITY.

In CrI. P NO. 200855 OF 2022

BETWEEN:

1. SRI. VISHWANATH C. TARALI
S/O CHINTAMANI B. TARALI,AGED ABOUT 45 YEARS,
OCC. PRIVATE SERVICE, R/O CTS-1817,
SOMAWARPETH, GOKAK-591307,DIST. BELGAUM.

...PETITIONER

(BY SRI. S S MAMADAPUR,ADVOCATE)

AND:

1. THE STATE OF KARNATAKA, THROUGH GANDHI CHOWK POLICE STATION, VIJAYPUR, REP BY ITS STATE PUBLIC PROSECUTOR, ADVOCATE GENERAL OFFICE, HIGH COURT BUILDING,KALABURAGI-585102.



NC: 2023:KHC-K:1155
CRL.P No. 200847 of 2022
C/W CRL.P No. 200848 of 2022
CRL.P No. 200849 of 2022
CRL.P No. 200850 of 2022
CRL.P No. 200851 of 2022
CRL.P No. 200852 of 2022
CRL.P No. 200853 of 2022
CRL.P No. 200854 of 2022
CRL.P No. 200855 of 2022
CRL.P No. 200856 of 2022
CRL.P No. 200857 of 2022
CRL.P No. 200858 of 2022
CRL.P No. 200872 of 2022
CRL.P No. 200873 of 2022
CRL.P No. 200874 of 2022
CRL.P No. 200875 of 2022
CRL.P No. 200876 of 2022
CRL.P No. 200877 of 2022
CRL.P No. 200878 of 2022

2. MALAKAPPA S/O SHARANAPPA RAMAGONDA
AGE. MAJOR, OCC. I.T. OFFICER, OFFICE OF INCOME
TAX, WARD NO.2, VIJAYAPUR.

...RESPONDENTS

(BY SRI GURURAJ V. HASILKAR, HCGP FOR R1;
NOTICE TO R2 SERVED)

THIS CRL.P IS FILED U/S.482 OF CR.P.C. BY THE
ADVOCATE FOR THE PETITIONER PRAYING TO, QUASH THE
PROCEEDINGS IN C.C NO. 1043/2012 REGISTERED FOR THE
OFFENCES PUNISHABLE U/SEC. 109, 177, 192, 196, 417, 420,
463, AND 464, R/W 34 OF IPC, OUT OF CRIME NO. 128/2010
OF GANDHI CHOWK POLICE STATION, DISTRICT-VIJAYAPUR,
PENDING ON THE FILE OF THE HONOURABLE ADDL. CIVIL
JUDGE AND JMFC-I. IN THE INTEREST OF JUSTICE AND
EQUITY.

In Crl. P NO. 200856 OF 2022

BETWEEN:

1. SRI. VISHWANATH C. TARALI, S/O CHINTAMANI B.
TARALI, AGED ABOUT 45 YEARS, OCC. PRIVATE
SERVICE, R/O CTS-1817, SOMAWARPETH, GOKAK-
591307, DIST. BELGAUM.

...PETITIONER

(BY SRI. S S MAMADAPUR, ADVOCATE)



NC: 2023:KHC-K:1155
CRL.P No. 200847 of 2022
C/W CRL.P No. 200848 of 2022
CRL.P No. 200849 of 2022
CRL.P No. 200850 of 2022
CRL.P No. 200851 of 2022
CRL.P No. 200852 of 2022
CRL.P No. 200853 of 2022
CRL.P No. 200854 of 2022
CRL.P No. 200855 of 2022
CRL.P No. 200856 of 2022
CRL.P No. 200857 of 2022
CRL.P No. 200858 of 2022
CRL.P No. 200872 of 2022
CRL.P No. 200873 of 2022
CRL.P No. 200874 of 2022
CRL.P No. 200875 of 2022
CRL.P No. 200876 of 2022
CRL.P No. 200877 of 2022
CRL.P No. 200878 of 2022

AND:

1. THE STATE OF KARNATAKA, THROUGH GANDHI CHOWK POLICE STATION, VIJAYPUR, REP BY ITS STATE PUBLIC PROSECUTOR, ADVOCATE GENERAL OFFICE, HIGH COURT BUILDING KALABURAGI-585102.
2. MALAKAPPA S/O SHARANAPPA RAMAGOND AGE. MAJOR, OCC. I.T. OFFICER OFFICE OF INCOME TAX, WARD NO.2, VIJAYAPUR.

...RESPONDENTS

(BY SRI GURURAJ V. HASILKAR, HCGP FOR R1;
NOTICE TO R2 SERVED)

THIS CRL.P IS FILED U/S.482 OF CR.P.C. BY THE ADVOCATE FOR THE PETITIONER PRAYING TO, QUASH THE PROCEEDINGS IN C.C. NO. 1044/2012 REGISTERED FOR THE OFFENCES PUNISHABLE U/SEC. 109, 177, 192, 196, 417, 420, 463, AND 464 R/W 34 OF IPC, OUT OF CRIME NO.129/2010 OF GANDHI CHOWK POLICE STATION, DISTRICT-VIJAYAPUR, PENDING ON THE FILE OF THE HONOURABLE ADDL. CIVIL JUDGE AND JMFC-I, AT VIJAYAPUR.



NC: 2023:KHC-K:1155
CRL.P No. 200847 of 2022
C/W CRL.P No. 200848 of 2022
CRL.P No. 200849 of 2022
CRL.P No. 200850 of 2022
CRL.P No. 200851 of 2022
CRL.P No. 200852 of 2022
CRL.P No. 200853 of 2022
CRL.P No. 200854 of 2022
CRL.P No. 200855 of 2022
CRL.P No. 200856 of 2022
CRL.P No. 200857 of 2022
CRL.P No. 200858 of 2022
CRL.P No. 200872 of 2022
CRL.P No. 200873 of 2022
CRL.P No. 200874 of 2022
CRL.P No. 200875 of 2022
CRL.P No. 200876 of 2022
CRL.P No. 200877 of 2022
CRL.P No. 200878 of 2022

In Crl. P NO. 200857 OF 2022

BETWEEN:

1. SRI. VISHWANATH C. TARALI
S/O CHINTAMANI B. TARALI,
AGED ABOUT 45 YEARS,
OCC. PRIVATE SERVICE, R/O CTS-1817,
SOMAWARPETH, GOKAK-591307,DIST. BELGAUM.

...PETITIONER

(BY SRI. S S MAMADAPUR,ADVOCATE)

AND:

1. THE STATE OF KARNATAKA, THROUGH GANDHI
CHOWK POLICE STATION, VIJAYPUR, REP BY ITS
STATE PUBLIC PROSECUTOR, ADVOCATE GENERAL
OFFICE,HIGH COURT BUILDING, KALABURAGI-
585102.
2. B. I. NARVEKAR, AGE. MAJOR, OCC. INCOME TAX
OFFICER,R/O INCOME TAX OFFICE, VIJAYAPUR

...RESPONDENTS

(BY SRI GURURAJ V. HASILKAR,HCGP FOR R1;
SRI Y V. RAVIRAJ,ADVOCATE FOR R2)



NC: 2023:KHC-K:1155
CRL.P No. 200847 of 2022
C/W CRL.P No. 200848 of 2022
CRL.P No. 200849 of 2022
CRL.P No. 200850 of 2022
CRL.P No. 200851 of 2022
CRL.P No. 200852 of 2022
CRL.P No. 200853 of 2022
CRL.P No. 200854 of 2022
CRL.P No. 200855 of 2022
CRL.P No. 200856 of 2022
CRL.P No. 200857 of 2022
CRL.P No. 200858 of 2022
CRL.P No. 200872 of 2022
CRL.P No. 200873 of 2022
CRL.P No. 200874 of 2022
CRL.P No. 200875 of 2022
CRL.P No. 200876 of 2022
CRL.P No. 200877 of 2022
CRL.P No. 200878 of 2022

THIS CRL.P IS FILED U/S.482 OF CR.P.C. BY THE ADVOCATE FOR THE PETITIONER PRAYING TO, QUASH THE PROCEEDINGSW IN C.C. NO. 1389 / 2012 REGISTERED FOR THE OFFENCES PUNISHABLE U/SEC. 109, 177, 192, 196, 417, 420, 463, AND 464 R/W 34 OF IPC, OUT OF CRIME NO.70/2010 OF GANDHI CHOWK POLICE STATION, DISTRICT-VIJAYAPUR, PENDING ON THE FILE OF THE HONOURABLE ADDL. CIVIL JUDGE AND JMFC-I, AT VIJAYAPUR.

In CrI.P No. 200858 OF 2022

BETWEEN:

1. SRI. VISHWANATH C. TARALI, S/O CHINTAMANI B. TARALI, AGED ABOUT 45 YEARS, OCC. PRIVATE SERVICE, R/O CTS-1817, SOMAWARPETH, GOKAK-591307, DIST. BELGAUM.

...PETITIONER

(BY SRI. S S MAMADAPUR,ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,THROUGH GANDHI CHOWK POLICE STATION, VIJAYPUR, REP BY ITS STATE PUBLIC PROSECUTOR, ADVOCATE GENERAL OFFICE, HIGH COURT BUILDING, KALABURAGI-585102.



NC: 2023:KHC-K:1155
CRL.P No. 200847 of 2022
C/W CRL.P No. 200848 of 2022
CRL.P No. 200849 of 2022
CRL.P No. 200850 of 2022
CRL.P No. 200851 of 2022
CRL.P No. 200852 of 2022
CRL.P No. 200853 of 2022
CRL.P No. 200854 of 2022
CRL.P No. 200855 of 2022
CRL.P No. 200856 of 2022
CRL.P No. 200857 of 2022
CRL.P No. 200858 of 2022
CRL.P No. 200872 of 2022
CRL.P No. 200873 of 2022
CRL.P No. 200874 of 2022
CRL.P No. 200875 of 2022
CRL.P No. 200876 of 2022
CRL.P No. 200877 of 2022
CRL.P No. 200878 of 2022

2. MALAKAPPA S/O SHARANAPPA RAMAGOND
AGE. MAJOR, OCC. I.T. OFFICER, OFFICE OF INCOME
TAX, WARD NO.2, VIJAYAPUR.

...RESPONDENTS

(BY SRI GURURAJ V. HASILKAR, HCGP FOR R1;
SRI Y V. RAVIRAJ, ADVOCATE FOR R2)

THIS CRL.P IS FILED U/S.482 OF CR.P.C. BY THE
ADVOCATE FOR THE PETITIONER PRAYING TO, QUASH THE
PROCEEDINGS IN C.C NO. 1390/2012 REGISTERED FOR THE
OFFENCES PUNISHABLE U/SEC. 109, 177, 192, 196, 417, 420,
463, 464, 465 AND 468 R/W 34 OF IPC, OUT OF CRIME NO.
135/2021 OF GANDHI CHOWK POLICE STATION, DISTRICT-
VIJAYAPUR, PENDING ON THE FILE FO THE HONOURALE ADDL.
CIVIL JUDGE AND JMFC-I, AT VIJAYAPUR, IN THE INTEREST OF
JUSTICE AND EQUITY.

In CrI.P NO. 200872 OF 2022

BETWEEN:

1. SRI. VISHWANATH C. TARALI, S/O CHINTAMANI B.
TARALI, AGED ABOUT 45 YEARS, OCC. PRIVATE
SERVICE, R/O CTS-1817, SOMAWARPETH, GOKAK-
591307, DIST. BELGAUM.

...PETITIONER

(BY SRI. S S MAMADAPUR, ADVOCATE)



NC: 2023:KHC-K:1155
CRL.P No. 200847 of 2022
C/W CRL.P No. 200848 of 2022
CRL.P No. 200849 of 2022
CRL.P No. 200850 of 2022
CRL.P No. 200851 of 2022
CRL.P No. 200852 of 2022
CRL.P No. 200853 of 2022
CRL.P No. 200854 of 2022
CRL.P No. 200855 of 2022
CRL.P No. 200856 of 2022
CRL.P No. 200857 of 2022
CRL.P No. 200858 of 2022
CRL.P No. 200872 of 2022
CRL.P No. 200873 of 2022
CRL.P No. 200874 of 2022
CRL.P No. 200875 of 2022
CRL.P No. 200876 of 2022
CRL.P No. 200877 of 2022
CRL.P No. 200878 of 2022

AND:

1. THE STATE OF KARNATAKA, THROUGH GANDHI CHOWK POLICE STATION, VIJAYPUR, EP BY ITS STATE PUBLIC PROSECUTOR, ADVOCATE GENERAL OFFICE, HIGH COURT BUILDING KALABURAGI-585102.
2. MALAKAPPA S/O SHARANAPPA RAMAGONDA AGE. MAJOR, OCC. I.T. OFFICER OFFICE OF INCOME TAX, WARD NO.2, VIJAYAPUR.

...RESPONDENTS

(BY SRI GURURAJ V. HASILKAR, HCGP FOR R1;
NOTICE TO R2 SERVED)

THIS CRL.P IS FILED U/S.482 OF CR.P.C. BY THE ADVOCATE FOR THE PETITIONER PRAYING TO, QUASH THE PROCEEDINGS IN C.C. NO. 1391/2012 REGISTERED FOR THE OFFENCES PUNISHABLE U/SEC. 109, 177, 192, 196, 417, 420, 463, 464, R/W 34 OF IPC, OUT OF CRIME NO. 130/2010 OF GANDHI CHOWK POLICE STATION, DISTRICT-VIJAYAPUR, PENDING ON THE FILE OF THE HONOURABLE ADDL. CIVIL JUDGE AND JMFC-I, AT VIJAYAPUR, IN THE INTEREST OF JUSTICE AND EQUITY.



NC: 2023:KHC-K:1155
CRL.P No. 200847 of 2022
C/W CRL.P No. 200848 of 2022
CRL.P No. 200849 of 2022
CRL.P No. 200850 of 2022
CRL.P No. 200851 of 2022
CRL.P No. 200852 of 2022
CRL.P No. 200853 of 2022
CRL.P No. 200854 of 2022
CRL.P No. 200855 of 2022
CRL.P No. 200856 of 2022
CRL.P No. 200857 of 2022
CRL.P No. 200858 of 2022
CRL.P No. 200872 of 2022
CRL.P No. 200873 of 2022
CRL.P No. 200874 of 2022
CRL.P No. 200875 of 2022
CRL.P No. 200876 of 2022
CRL.P No. 200877 of 2022
CRL.P No. 200878 of 2022

In Crl.P No. 200873 OF 2022

BETWEEN:

1. SRI. VISHWANATH C. TARALI, S/O CHINTAMANI B.
TARALI, AGED ABOUT 45 YEARS,
OCC. PRIVATE SERVICE, R/O CTS-1817,
SOMAWARPETH, GOKAK-591307, DIST. BELGAUM.

...PETITIONER

(BY SRI. S S MAMADAPUR,ADVOCATE)

AND:

1. THE STATE OF KARNATAKA, THROUGH GANDHI CHOWK
POLICE STATION, VIJAYPUR, REP BY ITS STATE PUBLIC
PROSECUTOR, ADVOCATE GENERAL OFFICE,HIGH COURT
BUILDING, KALABURAGI-585102.
2. MALAKAPPA S/O SHARANAPPA RAMAGONDA
AGE. MAJOR, OCC. I.T. OFFICER
OFFICE OF INCOME TAX,WARD NO.2,VIJAYAPUR.

...RESPONDENTS

(BY SRI GURURAJ V. HASILKAR,HCGP FOR R1;
SRI Y V. RAVIRAJ,ADVOCATE FOR R2)



NC: 2023:KHC-K:1155
CRL.P No. 200847 of 2022
C/W CRL.P No. 200848 of 2022
CRL.P No. 200849 of 2022
CRL.P No. 200850 of 2022
CRL.P No. 200851 of 2022
CRL.P No. 200852 of 2022
CRL.P No. 200853 of 2022
CRL.P No. 200854 of 2022
CRL.P No. 200855 of 2022
CRL.P No. 200856 of 2022
CRL.P No. 200857 of 2022
CRL.P No. 200858 of 2022
CRL.P No. 200872 of 2022
CRL.P No. 200873 of 2022
CRL.P No. 200874 of 2022
CRL.P No. 200875 of 2022
CRL.P No. 200876 of 2022
CRL.P No. 200877 of 2022
CRL.P No. 200878 of 2022

THIS CRL.P IS FILED U/S.482 OF CR.P.C. BY THE ADVOCATE FOR THE PETITIONER PRAYING TO, QUASH THE PROCEEDINGS IN C.C. NO.1392/2012 REGISTERED FOR THE OFFENCES PUNISHABLE U/SEC. 109, 177, 192, 196, 417, 420, 463, 464, R/W 34 OF IPC, OUT OF CRIME NO.131/2010 OF GANDHI CHOWK POLICE STATION, DISTRICT-VIJAYAPUR, PENDING ON THE FILE OF THE HONOURABLE ADDL. CIVIL JUDGE AND JMFC-I, AT VIJAYAPUR, IN THE INTEREST OF JUSTICE AND EQUITY.

In CrI. P No. 200874 OF 2022

BETWEEN:

1. SRI. VISHWANATH C. TARALI,S/O CHINTAMANI B. TARALI,AGED ABOUT 45 YEARS,OCC. PRIVATE SERVICE,RO CTS-1817, SOMAWARPETH, GOKAK-591307, DIST. BELGAUM.

...PETITIONER

(BY SRI. S S MAMADAPUR,ADVOCATE)

AND:

1. THE STATE OF KARNATAKA, THROUGH GANDHI CHOWK, POLICE STATION, VIJAYAPUR,REP BY ITS STATE PUBLIC PROSECUTOR, ADVOCATE GENERAL OFFICE,HIGH COURT BUILDING,KALABURAGI-585102.



NC: 2023:KHC-K:1155
CRL.P No. 200847 of 2022
C/W CRL.P No. 200848 of 2022
CRL.P No. 200849 of 2022
CRL.P No. 200850 of 2022
CRL.P No. 200851 of 2022
CRL.P No. 200852 of 2022
CRL.P No. 200853 of 2022
CRL.P No. 200854 of 2022
CRL.P No. 200855 of 2022
CRL.P No. 200856 of 2022
CRL.P No. 200857 of 2022
CRL.P No. 200858 of 2022
CRL.P No. 200872 of 2022
CRL.P No. 200873 of 2022
CRL.P No. 200874 of 2022
CRL.P No. 200875 of 2022
CRL.P No. 200876 of 2022
CRL.P No. 200877 of 2022
CRL.P No. 200878 of 2022

2. MALAKAPPA S/O SHARANAPPA RAMAGONDA
AGE. MAJOR, OCC. I.T. OFFICER
OFFICE OF INCOME TAX, WARD NO.2, VIJAYAPUR.

...RESPONDENTS

(BY SRI GURURAJ V. HASILKAR, HCGP FOR R1;
SRI Y V. RAVIRAJ, ADVOCATE FOR R2)

THIS CRL.P IS FILED U/S.482 OF CR.P.C. BY THE ADVOCATE FOR THE PETITIONER PRAYING TO, QUASH THE PROCEEDINGS IN C.C.NO.1393/2012 REGISTERED FOR THE OFFENCES PUNISHABLE U/SEC. 109, 177, 192, 196, 417, 420, 463, 464, R/W 34 OF IPC, OUT OF CRIME NO.132/2010 OF GANDHI CHOWK POLICE STATION, DISTRICT-VIJAYAPUR, PENDING ON THE FILE OF THE HONOURABLE ADDL. CIVIL JUDGE AND JMFC-I, AT VIJAYAPUR, IN THE INTEREST OF JUSTICE AND EQUITY.

In CrI.P No. 200875 OF 2022

BETWEEN:

1. SRI. VISHWANATH C. TARALI, S/O CHINTAMANI B.
TARALI, AGED ABOUT 45 YEARS, OCC. PRIVATE SERVICE,
R/O CTS-1817, SOMAWARPETH, GOKAK-591307, DIST.
BELGAUM.

...PETITIONER

(BY SRI. S S MAMADAPUR, ADVOCATE)



NC: 2023:KHC-K:1155
CRL.P No. 200847 of 2022
C/W CRL.P No. 200848 of 2022
CRL.P No. 200849 of 2022
CRL.P No. 200850 of 2022
CRL.P No. 200851 of 2022
CRL.P No. 200852 of 2022
CRL.P No. 200853 of 2022
CRL.P No. 200854 of 2022
CRL.P No. 200855 of 2022
CRL.P No. 200856 of 2022
CRL.P No. 200857 of 2022
CRL.P No. 200858 of 2022
CRL.P No. 200872 of 2022
CRL.P No. 200873 of 2022
CRL.P No. 200874 of 2022
CRL.P No. 200875 of 2022
CRL.P No. 200876 of 2022
CRL.P No. 200877 of 2022
CRL.P No. 200878 of 2022

AND:

1. THE STATE OF KARNATAKA
THROUGH GANDHI CHOWK
POLICE STATION, VIJAYAPUR
REP BY ITS STATE PUBLIC PROSECUTOR, ADVOCATE
GENERAL OFFICE, HIGH COURT BUILDING,
KALABURAGI-585102.
2. MALAKAPPA S/O SHARANAPPA RAMAGONDA
AGE. MAJOR, OCC. I.T. OFFICER, OFFICE OF INCOME
TAX, WARD NO.2, VIJAYAPUR.

...RESPONDENTS

(BY SRI GURURAJ V. HASILKAR,HCGP FOR R1;
NOTICE TO R2 SERVED)

THIS CRL.P IS FILED U/S.482 OF CR.P.C. BY THE
ADVOCATE FOR THE PETITIONER PRAYING TO, QUASH THE
PROCEEDINGS IN C.C.NO.1396/2012 REGISTERED FOR THE
OFFENCES PUNISHABLE U/SEC.109, 177, 192, 196, 417, 420,
463, 464, R/W 34 OF IPC, OUT OF CRIME NO.137/2010 OF
GANDHI CHOWK POLICE STATION, DISTRICT-VIJAYAPUR,
PENDING ON THE FILE OF THE HONOURABLE ADDL. CIVIL
JUDGE AND JMFC-I, AT VIJAYAPUR, IN THE INTEREST OF
JUSTICE AND EQUITY.



NC: 2023:KHC-K:1155
CRL.P No. 200847 of 2022
C/W CRL.P No. 200848 of 2022
CRL.P No. 200849 of 2022
CRL.P No. 200850 of 2022
CRL.P No. 200851 of 2022
CRL.P No. 200852 of 2022
CRL.P No. 200853 of 2022
CRL.P No. 200854 of 2022
CRL.P No. 200855 of 2022
CRL.P No. 200856 of 2022
CRL.P No. 200857 of 2022
CRL.P No. 200858 of 2022
CRL.P No. 200872 of 2022
CRL.P No. 200873 of 2022
CRL.P No. 200874 of 2022
CRL.P No. 200875 of 2022
CRL.P No. 200876 of 2022
CRL.P No. 200877 of 2022
CRL.P No. 200878 of 2022

In Crl. P No. 200876 OF 2022

BETWEEN:

1. SRI. VISHWANATH C. TARALI, S/O CHINTAMANI B.
TARALI, AGED ABOUT 45 YEARS, OCC. PRIVATE
SERVICE, R/O CTS-1817, SOMAWARPETH,
GOKAK-591307, DIST. BELGAUM.

...PETITIONER

(BY SRI. S S MAMADAPUR, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA, THROUGH GANDHI
CHOWK, POLICE STATION, VIJAYAPUR
REP BY ITS STATE PUBLIC PROSECUTOR, ADVOCATE
GENERAL'S OFFICE, HIGH COURT BUILDING,
KALABURAGI-585102.
2. MALAKAPPA S/O SHARANAPPA RAMAGONDA
AGE. MAJOR, OCC. I.T. OFFICER
OFFICE OF INCOME TAX, WARD NO.2, VIJAYAPUR.

...RESPONDENTS

(BY SRI GURURAJ V. HASILKAR, HCGP FOR R1;
NOTICE TO R2 SERVED)



NC: 2023:KHC-K:1155
CRL.P No. 200847 of 2022
C/W CRL.P No. 200848 of 2022
CRL.P No. 200849 of 2022
CRL.P No. 200850 of 2022
CRL.P No. 200851 of 2022
CRL.P No. 200852 of 2022
CRL.P No. 200853 of 2022
CRL.P No. 200854 of 2022
CRL.P No. 200855 of 2022
CRL.P No. 200856 of 2022
CRL.P No. 200857 of 2022
CRL.P No. 200858 of 2022
CRL.P No. 200872 of 2022
CRL.P No. 200873 of 2022
CRL.P No. 200874 of 2022
CRL.P No. 200875 of 2022
CRL.P No. 200876 of 2022
CRL.P No. 200877 of 2022
CRL.P No. 200878 of 2022

THIS CRL.P IS FILED U/S.482 OF CR.P.C. BY THE ADVOCATE FOR THE PETITIONER PRAYING TO, QUASH THE PROCEEDINGS IN C.C.NO.1830/2011 REGISTERED FOR THE OFFENCES PUNISHABLE U/SEC.109, 177, 192, 196, 417, 420, 463, 464, R/W 34 OF IPC, OUT OF CRIME NO.123/2010 OF GANDHI CHOWK POLICE STATION, DISTRICT-VIJAYAPUR, PENDING ON THE FILE OF THE HONOURABLE ADDL. CIVIL JUDGE AND JMFC-I, AT VIJAYAPUR, IN THE INTEREST OF JUSTICE AND EQUITY.

In CrI.P NO. 200877 OF 2022

BETWEEN:

1. SRI. VISHWANATH C. TARALI
S/O CHINTAMANI B TARALI,AGED ABOUT 45 YEARS,
OCC. PRIVATE SERVICE, R/O CTS 1817
SOMAWARPETH,GOKAK 591 307,DIST BELGAUM
...PETITIONER

(BY SRI. S S MAMADAPUR,ADVOCATE)

AND:

1. THE STATE OF KARNATAKA ,THROUGH GANDHI
CHOWK,POLICE STATION VIJAYPUR,
REP BY ITS STATE PUBLIC PROSECUTOR,
ADVOCATE GENERALS OFFICE,
HIGH COURT BUILDING,KALABURAGI 585102



NC: 2023:KHC-K:1155
CRL.P No. 200847 of 2022
C/W CRL.P No. 200848 of 2022
CRL.P No. 200849 of 2022
CRL.P No. 200850 of 2022
CRL.P No. 200851 of 2022
CRL.P No. 200852 of 2022
CRL.P No. 200853 of 2022
CRL.P No. 200854 of 2022
CRL.P No. 200855 of 2022
CRL.P No. 200856 of 2022
CRL.P No. 200857 of 2022
CRL.P No. 200858 of 2022
CRL.P No. 200872 of 2022
CRL.P No. 200873 of 2022
CRL.P No. 200874 of 2022
CRL.P No. 200875 of 2022
CRL.P No. 200876 of 2022
CRL.P No. 200877 of 2022
CRL.P No. 200878 of 2022

2. MALAKAPPA S/O SHARANAPPA RAMAGONDA
AGE. MAJOR, OCC. I.T. OFFICER
OFFICE OF INCOME TAX, WARD NO.2, VIJAYAPUR.

...RESPONDENTS

(BY SRI GURURAJ V. HASILKAR, HCGP FOR R1;
NOTICE TO R2 SERVED)

THIS CRL.P IS FILED U/S.482 OF CR.P.C. BY THE
ADVOCATE FOR THE PETITIONER PRAYING TO, QUASH THE
PROCEEDINGS IN C.C.NO.1831/2011 REGISTERED FOR THE
OFFENCES PUNISHABLE U/SEC.109, 177, 192, 196, 417, 420,
463, 464, R/W 34 OF IPC, OUT OF CRIME NO.124/2010 OF
GANDHI CHOWK POLICE STATION, DISTRICT-VIJAYAPUR,
PENDING ON THE FILE OF THE HONOURABLE ADDL. CIVIL
JUDGE AND JMFC-I, AT VIJAYAPUR, IN THE INTEREST OF
JUSTICE AND EQUITY.

In Crl.P No. 200878 OF 2022

BETWEEN:

1. SRI. VISHWANATH C. TARALI, S/O CHINTAMANI B
TARALI, AGED ABOUT 45 YEARS, OCC.PRIVATE
SERVICE, R/O CTS 1817 SOMAWARPETH,
GOKAK 591 307, DIST BELGAUM

...PETITIONER

(BY SRI. S S MAMADAPUR, ADVOCATE)



NC: 2023:KHC-K:1155
CRL.P No. 200847 of 2022
C/W CRL.P No. 200848 of 2022
CRL.P No. 200849 of 2022
CRL.P No. 200850 of 2022
CRL.P No. 200851 of 2022
CRL.P No. 200852 of 2022
CRL.P No. 200853 of 2022
CRL.P No. 200854 of 2022
CRL.P No. 200855 of 2022
CRL.P No. 200856 of 2022
CRL.P No. 200857 of 2022
CRL.P No. 200858 of 2022
CRL.P No. 200872 of 2022
CRL.P No. 200873 of 2022
CRL.P No. 200874 of 2022
CRL.P No. 200875 of 2022
CRL.P No. 200876 of 2022
CRL.P No. 200877 of 2022
CRL.P No. 200878 of 2022

AND:

1. THE STATE OF KARNATAKA, THROUGH GANDHI CHOWK, POLICE STATION, VIJAYPUR, REP BY ITS STATE PUBLIC PROSECUTOR, ADVOCATE GENERALS OFFICE, HIGH COURT BUILDING, KALABURAGI 585 102
2. MALAKAPPA S/O SHARANAPPA RAMAGONDA AGE. MAJOR, OCC. I.T. OFFICER, OFFICE OF INCOME TAX, WARD NO.2, VIJAYAPUR.

...RESPONDENTS

(BY SRI GURURAJ V. HASILKAR, HCGP FOR R1;
NOTICE TO R2 SERVED)

THIS CRL.P IS FILED U/S.482 OF CR.P.C. BY THE ADVOCATE FOR THE PETITIONER PRAYING TO, QUASH THE PROCEEDINGS IN C.C.NO.1832/2011 REGISTERED FOR THE OFFENCES PUNISHABLE U/SEC.109, 177, 192, 196, 417, 420, 463, 464, R/W 34 OF IPC, OUT OF CRIME NO.125/2010 OF GANDHI CHOWK POLICE STATION, DISTRICT-VIJAYAPUR, PENDING ON THE FILE OF THE HONOURABLE ADDL. CIVIL JUDGE AND JMFC-I, AT VIJAYAPUR, IN THE INTEREST OF JUSTICE AND EQUITY.

THESE PETITIONS, COMING ON FOR ADMISSION, THIS DAY, THE COURT MADE THE FOLLOWING:



NC: 2023:KHC-K:1155
CRL.P No. 200847 of 2022
C/W CRL.P No. 200848 of 2022
CRL.P No. 200849 of 2022
CRL.P No. 200850 of 2022
CRL.P No. 200851 of 2022
CRL.P No. 200852 of 2022
CRL.P No. 200853 of 2022
CRL.P No. 200854 of 2022
CRL.P No. 200855 of 2022
CRL.P No. 200856 of 2022
CRL.P No. 200857 of 2022
CRL.P No. 200858 of 2022
CRL.P No. 200872 of 2022
CRL.P No. 200873 of 2022
CRL.P No. 200874 of 2022
CRL.P No. 200875 of 2022
CRL.P No. 200876 of 2022
CRL.P No. 200877 of 2022
CRL.P No. 200878 of 2022

ORDER

Since the question involved in these petitions is similar, the parties are common, they are taken up together, heard and disposed of by common order.

2. The brief facts of the case are as follows:

The 2nd respondent lodged the FIR in Crime No.121/2010 against the petitioner and two others for the offences punishable under Sections 109, 177, 192, 196, 417, 420, 463, 464 read with Section 34 of IPC, alleging that, the accused, by conniving with each other, have filed false returns with the Income Tax department claiming refunds from the Income Tax department.

3. The police, after registering the FIR, conducted an investigation, and submitted the charge sheet before the learned Magistrate. The learned Magistrate, after accepting the charge sheet, took the cognizance of the aforesaid offences and issued summons.



NC: 2023:KHC-K:1155
CRL.P No. 200847 of 2022
C/W CRL.P No. 200848 of 2022
CRL.P No. 200849 of 2022
CRL.P No. 200850 of 2022
CRL.P No. 200851 of 2022
CRL.P No. 200852 of 2022
CRL.P No. 200853 of 2022
CRL.P No. 200854 of 2022
CRL.P No. 200855 of 2022
CRL.P No. 200856 of 2022
CRL.P No. 200857 of 2022
CRL.P No. 200858 of 2022
CRL.P No. 200872 of 2022
CRL.P No. 200873 of 2022
CRL.P No. 200874 of 2022
CRL.P No. 200875 of 2022
CRL.P No. 200876 of 2022
CRL.P No. 200877 of 2022
CRL.P No. 200878 of 2022

4. Before lodging the FIR, the 2nd respondent had filed a private complaint under Section 200 of Cr.PC before the jurisdictional Magistrate against the petitioner and two others alleging that, the petitioner, by conniving with each other, have filed false returns for claiming refund from the Income Tax department.

5. The learned Magistrate, after perusing the complaint, took the cognizance for the offences punishable under Sections 277 and 278 of the Income Tax Act. Since, the petitioner herein was prosecuted for the same transaction simultaneously, the learned Magistrate, after considering the material on record, allowed the application, and discharged the petitioner from the aforesaid offences in the case arising out of the private complaint filed by the 2nd respondent.

6. The petitioner is before this Court challenging the cognizance taken by the learned Magistrate on the basis of the



NC: 2023:KHC-K:1155
CRL.P No. 200847 of 2022
C/W CRL.P No. 200848 of 2022
CRL.P No. 200849 of 2022
CRL.P No. 200850 of 2022
CRL.P No. 200851 of 2022
CRL.P No. 200852 of 2022
CRL.P No. 200853 of 2022
CRL.P No. 200854 of 2022
CRL.P No. 200855 of 2022
CRL.P No. 200856 of 2022
CRL.P No. 200857 of 2022
CRL.P No. 200858 of 2022
CRL.P No. 200872 of 2022
CRL.P No. 200873 of 2022
CRL.P No. 200874 of 2022
CRL.P No. 200875 of 2022
CRL.P No. 200876 of 2022
CRL.P No. 200877 of 2022
CRL.P No. 200878 of 2022

final report submitted by the police under Section 173(2) of Cr.PC. Hence, this petition.

7. The learned counsel for the petitioner would make the following submissions:

a) The offences punishable under Sections 277 and 278 of Income Tax Act are triable by the designated Special Court. The Special Court can take cognizance of the offence, for which, the accused is committed for trial only upon a complaint made by the Authority authorized in his behalf as specified under Section 280B of the Income Tax Act. In support, he places the reliance on the decision of the Hon'ble Supreme Court in the case of Sharat Babu Digumarti -vs- Government of NCT of Delhi (2017) ACR 231.

b) The cognizance taken by the learned Magistrate of the aforesaid offences in the absence of sanction granted by the competent Authority prescribed



NC: 2023:KHC-K:1155
CRL.P No. 200847 of 2022
C/W CRL.P No. 200848 of 2022
CRL.P No. 200849 of 2022
CRL.P No. 200850 of 2022
CRL.P No. 200851 of 2022
CRL.P No. 200852 of 2022
CRL.P No. 200853 of 2022
CRL.P No. 200854 of 2022
CRL.P No. 200855 of 2022
CRL.P No. 200856 of 2022
CRL.P No. 200857 of 2022
CRL.P No. 200858 of 2022
CRL.P No. 200872 of 2022
CRL.P No. 200873 of 2022
CRL.P No. 200874 of 2022
CRL.P No. 200875 of 2022
CRL.P No. 200876 of 2022
CRL.P No. 200877 of 2022
CRL.P No. 200878 of 2022

under Section 279 of the Income Tax Act to prosecute the petitioner stands vitiated.

c) The offences alleged against the petitioner are non-cognizable as specified under Section 279A of the Income Tax Act. Hence, conducting of investigation culminating in filing of the charge sheet stands vitiated for noncompliance of Section 156(3) of Cr.PC.

8. The learned High Court Government Pleader for the respondent - State and learned counsel for respondent No.2 submit that, the charge sheet material discloses the commission of offence alleged against the petitioner - accused, and whether the cognizance can be taken on the basis of the final report is the matter, which requires to be considered at the stage of trial. The cognizance taken by the learned Magistrate does not warrant any interference. Hence, sought for dismissal of these petitions.



NC: 2023:KHC-K:1155
CRL.P No. 200847 of 2022
C/W CRL.P No. 200848 of 2022
CRL.P No. 200849 of 2022
CRL.P No. 200850 of 2022
CRL.P No. 200851 of 2022
CRL.P No. 200852 of 2022
CRL.P No. 200853 of 2022
CRL.P No. 200854 of 2022
CRL.P No. 200855 of 2022
CRL.P No. 200856 of 2022
CRL.P No. 200857 of 2022
CRL.P No. 200858 of 2022
CRL.P No. 200872 of 2022
CRL.P No. 200873 of 2022
CRL.P No. 200874 of 2022
CRL.P No. 200875 of 2022
CRL.P No. 200876 of 2022
CRL.P No. 200877 of 2022
CRL.P No. 200878 of 2022

9. Considered the submissions of the learned counsel for the parties.

10. The allegation against the petitioner is that, he along with other accused, by conniving with each other, filed returns fraudulently for claiming refund of tax from the Income Tax department. The allegation of claiming refund of tax by filing the false returns is contravening under Sections 277 and 278 of the Income Tax Act.

11. The Sections 277, 278, 279 and 280B of the Income Tax Act are relevant and are reproduced as follows:

"277. If a person makes a statement in any verification under this Act or under any rule made thereunder, or delivers an account or statement which is false, and which he either knows or believes to be false, or does not believe to be true, he shall be punishable,-

i) in a case where the amount of tax, which would have been evaded if the statement or account had been accepted as true, exceeds [twenty-five hundred thousand rupees], with rigorous imprisonment for a term which shall not be less than



NC: 2023:KHC-K:1155
CRL.P No. 200847 of 2022
C/W CRL.P No. 200848 of 2022
CRL.P No. 200849 of 2022
CRL.P No. 200850 of 2022
CRL.P No. 200851 of 2022
CRL.P No. 200852 of 2022
CRL.P No. 200853 of 2022
CRL.P No. 200854 of 2022
CRL.P No. 200855 of 2022
CRL.P No. 200856 of 2022
CRL.P No. 200857 of 2022
CRL.P No. 200858 of 2022
CRL.P No. 200872 of 2022
CRL.P No. 200873 of 2022
CRL.P No. 200874 of 2022
CRL.P No. 200875 of 2022
CRL.P No. 200876 of 2022
CRL.P No. 200877 of 2022
CRL.P No. 200878 of 2022

six months but which may extend to seven years and with fine;

ii) in any other case, with rigorous imprisonment for a term which shall not be less than three months but which may extend to [two years] and with fine].

278. *If a person abets or induces in any manner another person to make and deliver an account of a statement or declaration relating to [any income or any fringe benefits chargeable to tax] which is false and which the either knows to be false or does not believe to be true or to commit an offence under sub-section (1) of section 276C, he shall be punishable.-*

i) in a case where the amount of tax, penalty or interest which would have been evaded, if the declaration, account or statement had been accepted as true, or which is wilfully attempted to be evaded, exceeds [twenty-fivehundred thousand rupees]with rigorous imprisonment for a term which shall not be less than six months but which may extend to seven years and with fine;

ii) in any other case, with rigorous imprisonment for a term which shall not be less than three months but which may extend to [twoyears] and with fine.]



NC: 2023:KHC-K:1155
CRL.P No. 200847 of 2022
C/W CRL.P No. 200848 of 2022
CRL.P No. 200849 of 2022
CRL.P No. 200850 of 2022
CRL.P No. 200851 of 2022
CRL.P No. 200852 of 2022
CRL.P No. 200853 of 2022
CRL.P No. 200854 of 2022
CRL.P No. 200855 of 2022
CRL.P No. 200856 of 2022
CRL.P No. 200857 of 2022
CRL.P No. 200858 of 2022
CRL.P No. 200872 of 2022
CRL.P No. 200873 of 2022
CRL.P No. 200874 of 2022
CRL.P No. 200875 of 2022
CRL.P No. 200876 of 2022
CRL.P No. 200877 of 2022
CRL.P No. 200878 of 2022

279. Prosecution to be at the instance of [Principal Chief Commissioner or Chief Commissioner] or [Principal Commissioner or Commissioner].— [(1) A person shall not be proceeded against for an offence under Section 275-A, [Section 275-B], Section 276, Section 276-A, Section 276-B, Section 276-BB, Section 276-C, Section 276-CC, Section 276-D, Section 277 [, Section 277-A] or Section 278 except with the previous sanction of the [Principal Commissioner or Commissioner] [or Joint Commissioner (Appeals) or Commissioner (Appeals)] or the appropriate authority:

Provided that the [Principal Chief Commissioner or Chief Commissioner] or, as the case may be, [Principal Director General or Director General] may issue such instructions or directions to the aforesaid income tax authorities as he may deem fit for institution of proceedings under this sub-section.

Explanation.—For the purposes of this section, “appropriate authority” shall have the same meaning as in clause (c) of Section 269-UA.]

(1-A) A person shall not be proceeded against for an offence under Section 276-C or Section 277 in relation to the assessment for an assessment year in respect of which the penalty imposed or imposable on him under [Section 270-A or] clause (iii) of sub-section (1) of Section 271 has been reduced or waived by an order under Section 273-A.



NC: 2023:KHC-K:1155
CRL.P No. 200847 of 2022
C/W CRL.P No. 200848 of 2022
CRL.P No. 200849 of 2022
CRL.P No. 200850 of 2022
CRL.P No. 200851 of 2022
CRL.P No. 200852 of 2022
CRL.P No. 200853 of 2022
CRL.P No. 200854 of 2022
CRL.P No. 200855 of 2022
CRL.P No. 200856 of 2022
CRL.P No. 200857 of 2022
CRL.P No. 200858 of 2022
CRL.P No. 200872 of 2022
CRL.P No. 200873 of 2022
CRL.P No. 200874 of 2022
CRL.P No. 200875 of 2022
CRL.P No. 200876 of 2022
CRL.P No. 200877 of 2022
CRL.P No. 200878 of 2022

[(2) Any offence under this Chapter may, either before or after the institution of proceedings, be compounded by the [Principal Chief Commissioner or Chief Commissioner] or [Principal Director General or Director General].]

(3) Where any proceeding has been taken against any person under sub-section (1), any statement made or account or other document produced by such person before any of the income tax authorities specified in clauses (a) to (g) of Section 116 shall not be inadmissible as evidence for the purpose of such proceedings merely on the ground that such statement was made or such account or other document was produced in the belief that the penalty imposable would be reduced or waived under Section 273-A or that the offence in respect of which such proceeding was taken would be compounded.

[*Explanation.*—For the removal of doubts, it is hereby declared that the power of the Board to issue orders, instructions or directions under this Act shall include and shall be deemed always to have included the power to issue instructions or directions (including instructions or directions to obtain the previous approval of the Board) to other income tax authorities for the proper composition of offences under this section.]

[(4) The Central Government may make a scheme, by notification in the Official Gazette, for the purposes of granting sanction under sub-section (1) or compounding



NC: 2023:KHC-K:1155
CRL.P No. 200847 of 2022
C/W CRL.P No. 200848 of 2022
CRL.P No. 200849 of 2022
CRL.P No. 200850 of 2022
CRL.P No. 200851 of 2022
CRL.P No. 200852 of 2022
CRL.P No. 200853 of 2022
CRL.P No. 200854 of 2022
CRL.P No. 200855 of 2022
CRL.P No. 200856 of 2022
CRL.P No. 200857 of 2022
CRL.P No. 200858 of 2022
CRL.P No. 200872 of 2022
CRL.P No. 200873 of 2022
CRL.P No. 200874 of 2022
CRL.P No. 200875 of 2022
CRL.P No. 200876 of 2022
CRL.P No. 200877 of 2022
CRL.P No. 200878 of 2022

under sub-section (2), so as to impart greater efficiency, transparency and accountability by—

(a) eliminating the interface between the income tax authority and the assessee or any other person to the extent technologically feasible;

(b) optimising utilisation of the resources through economies of scale and functional specialisation;

(c) introducing a team-based sanction to proceed against, or for compounding of, an offence, with dynamic jurisdiction.

(5) The Central Government may, for the purpose of giving effect to the scheme made under sub-section (4), by notification in the Official Gazette, direct that any of the provisions of this Act shall not apply or shall apply with such exceptions, modifications and adaptations as may be specified in the notification:

Provided that no direction shall be issued after the 31st day of March, 2022.

(6) Every notification issued under sub-section (4) and sub-section (5) shall, as soon as may be after the notification is issued, be laid before each House of Parliament.]

[280-B. Offences triable by Special Court.—
Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974),—



NC: 2023:KHC-K:1155
CRL.P No. 200847 of 2022
C/W CRL.P No. 200848 of 2022
CRL.P No. 200849 of 2022
CRL.P No. 200850 of 2022
CRL.P No. 200851 of 2022
CRL.P No. 200852 of 2022
CRL.P No. 200853 of 2022
CRL.P No. 200854 of 2022
CRL.P No. 200855 of 2022
CRL.P No. 200856 of 2022
CRL.P No. 200857 of 2022
CRL.P No. 200858 of 2022
CRL.P No. 200872 of 2022
CRL.P No. 200873 of 2022
CRL.P No. 200874 of 2022
CRL.P No. 200875 of 2022
CRL.P No. 200876 of 2022
CRL.P No. 200877 of 2022
CRL.P No. 200878 of 2022

(a) the offences punishable under this chapter shall be triable only by the Special Court, if so designated, for the area or areas or for cases or class or group of cases, as the case may be, in which the offence has been committed:

Provided that a court competent to try offences under Section 292,—

(i) which has been designated as a Special Court under this section, shall continue to try the offences before it or offences arising under this Act after such designation;

(ii) which has not been designated as a Special Court may continue to try such offence pending before it till its disposal;

(b) a Special Court may, upon a complaint made by an authority authorised in this behalf under this Act take cognizance of the offence for which the accused is committed for trial.]"

12. Section 279 of the Income Tax Act specifies that, a person shall not be proceeded against for an offence under Sections 277 and 278 of the Income Tax Act except with the previous sanction of the competent Authority as enumerated therein.



NC: 2023:KHC-K:1155
CRL.P No. 200847 of 2022
C/W CRL.P No. 200848 of 2022
CRL.P No. 200849 of 2022
CRL.P No. 200850 of 2022
CRL.P No. 200851 of 2022
CRL.P No. 200852 of 2022
CRL.P No. 200853 of 2022
CRL.P No. 200854 of 2022
CRL.P No. 200855 of 2022
CRL.P No. 200856 of 2022
CRL.P No. 200857 of 2022
CRL.P No. 200858 of 2022
CRL.P No. 200872 of 2022
CRL.P No. 200873 of 2022
CRL.P No. 200874 of 2022
CRL.P No. 200875 of 2022
CRL.P No. 200876 of 2022
CRL.P No. 200877 of 2022
CRL.P No. 200878 of 2022

13. Section 280B deals with the offences triable by Special Court. A reading of the provision indicates that, the offences punishable in this chapter shall be triable only by the designated Special Court, and Clause (B) to the said provision specifies that, a Special Court may upon a complaint made by an authority authorized in this behalf take cognizance of the aforesaid offences for which the accused is committed for trial.

14. A conjoint reading of Sections 279 and 280B of the Act specifies that, the Special Court can take cognizance of the offences punishable under Chapter-XXII only upon a previous sanction granted by the Authority on a complaint by an authorized officer. In other words, the learned Magistrate can take cognizance only on the basis of complaint by the authorized officer after obtaining sanction from the competent Authority, and not on the basis of final report submitted by the police under Section 178 of Cr.PC.



NC: 2023:KHC-K:1155
CRL.P No. 200847 of 2022
C/W CRL.P No. 200848 of 2022
CRL.P No. 200849 of 2022
CRL.P No. 200850 of 2022
CRL.P No. 200851 of 2022
CRL.P No. 200852 of 2022
CRL.P No. 200853 of 2022
CRL.P No. 200854 of 2022
CRL.P No. 200855 of 2022
CRL.P No. 200856 of 2022
CRL.P No. 200857 of 2022
CRL.P No. 200858 of 2022
CRL.P No. 200872 of 2022
CRL.P No. 200873 of 2022
CRL.P No. 200874 of 2022
CRL.P No. 200875 of 2022
CRL.P No. 200876 of 2022
CRL.P No. 200877 of 2022
CRL.P No. 200878 of 2022

15. In view of preceding analysis, I am of the view that, the cognizance taken by the learned Magistrate on the basis of the final report submitted by the police is one without authority of law. Hence, the continuation of criminal proceeding will be an abuse of process of law. Accordingly, I pass the following:

ORDER

- i) Criminal petitions stand allowed.
- ii) The following proceedings stand quashed:
 - 1) Crl.P No. 200847 of 2022:

The impugned proceedings in C.C No.1030/2012 registered for the offences punishable under Sections 109, 177, 192, 196, 417, 420, 463, 464, r/w Sec. 34 of IPC, in Crime No. 121/2010 of G.C. Police Station, Vijayapur, pending on the file of the learned Addl. Civil Judge and JMFC-I, Vijayapur.

- 2) Crl.P No. 200848 of 2022:

The impugned proceedings in C.C No.1031/2012 registered for the offences punishable under Sections 109, 177,



NC: 2023:KHC-K:1155
CRL.P No. 200847 of 2022
C/W CRL.P No. 200848 of 2022
CRL.P No. 200849 of 2022
CRL.P No. 200850 of 2022
CRL.P No. 200851 of 2022
CRL.P No. 200852 of 2022
CRL.P No. 200853 of 2022
CRL.P No. 200854 of 2022
CRL.P No. 200855 of 2022
CRL.P No. 200856 of 2022
CRL.P No. 200857 of 2022
CRL.P No. 200858 of 2022
CRL.P No. 200872 of 2022
CRL.P No. 200873 of 2022
CRL.P No. 200874 of 2022
CRL.P No. 200875 of 2022
CRL.P No. 200876 of 2022
CRL.P No. 200877 of 2022
CRL.P No. 200878 of 2022

192, 196, 417, 420, 463, 464, r/w Sec. 34 of IPC, in Crime No. 122/2010 of G.C. Police Station, Vijayapur, pending on the file of the learned Addl. Civil Judge and JMFC-I, Vijayapur.

3) Crl.P No. 200849 of 2022:

The impugned proceedings in C.C No.1032/2012 registered for the offences punishable under Sections 109, 177, 192, 196, 417, 420, 463, 464, r/w Sec. 34 of IPC, in Crime No. 134/2010 of G.C. Police Station, Vijayapur, pending on the file of the learned Addl. Civil Judge and JMFC-I, Vijayapur.

4) Crl.P No. 200850 of 2022:

The impugned proceedings in C.C No.1033/2012 registered for the offences punishable under Sections 109, 177, 192, 196, 417, 420, 463, 464, r/w Sec. 34 of IPC, in Crime No. 135/2010 of G.C. Police Station, Vijayapur, pending on the file of the learned Addl. Civil Judge and JMFC-I, Vijayapur.



NC: 2023:KHC-K:1155
CRL.P No. 200847 of 2022
C/W CRL.P No. 200848 of 2022
CRL.P No. 200849 of 2022
CRL.P No. 200850 of 2022
CRL.P No. 200851 of 2022
CRL.P No. 200852 of 2022
CRL.P No. 200853 of 2022
CRL.P No. 200854 of 2022
CRL.P No. 200855 of 2022
CRL.P No. 200856 of 2022
CRL.P No. 200857 of 2022
CRL.P No. 200858 of 2022
CRL.P No. 200872 of 2022
CRL.P No. 200873 of 2022
CRL.P No. 200874 of 2022
CRL.P No. 200875 of 2022
CRL.P No. 200876 of 2022
CRL.P No. 200877 of 2022
CRL.P No. 200878 of 2022

5) Crl.P No. 200851 of 2022:

The impugned proceedings in C.C No.1395/2012 registered for the offences punishable under Sections 109, 177, 192, 196, 417, 420, 463, 464, r/w Sec.34 of IPC, in Crime No.136/2010 of G.C. Police Station, Vijayapur, pending on the file of the learned Addl. Civil Judge and JMFC-I, Vijayapur.

6) Crl. P No. 200852 of 2022:

The impugned proceedings in C.C No.1394/2012 registered for the offences punishable under Sections 109, 177, 192, 196, 417, 420, 463, 464, r/w Sec. 34 of IPC, in Crime No.133/2010 of G.C. Police Station, Vijayapur, pending on the file of the learned Addl. Civil Judge and JMFC-I, Vijayapur.

7) Crl. P No. 200853 of 2022:

The impugned proceedings in C.C No.1034/2012 registered for the offences punishable under Sections 109, 177, 192, 196, 417, 420, 463, 464, r/w Sec. 34 of IPC, in Crime



NC: 2023:KHC-K:1155
CRL.P No. 200847 of 2022
C/W CRL.P No. 200848 of 2022
CRL.P No. 200849 of 2022
CRL.P No. 200850 of 2022
CRL.P No. 200851 of 2022
CRL.P No. 200852 of 2022
CRL.P No. 200853 of 2022
CRL.P No. 200854 of 2022
CRL.P No. 200855 of 2022
CRL.P No. 200856 of 2022
CRL.P No. 200857 of 2022
CRL.P No. 200858 of 2022
CRL.P No. 200872 of 2022
CRL.P No. 200873 of 2022
CRL.P No. 200874 of 2022
CRL.P No. 200875 of 2022
CRL.P No. 200876 of 2022
CRL.P No. 200877 of 2022
CRL.P No. 200878 of 2022

No.138/2010 of G.C. Police Station, Vijayapur, pending on the file of the learned Addl. Civil Judge and JMFC-I, Vijayapur.

8) Crl. P No. 200854 of 2022:

The impugned proceedings in C.C No.1035/2012 registered for the offences punishable under Sections 109, 177, 192, 196, 417, 420, 463, 464, r/w Sec. 34 of IPC, in Crime No.126/2010 of G.C. Police Station, Vijayapur, pending on the file of the learned Addl. Civil Judge and JMFC-I, Vijayapur.

9) Crl. P No. 200855 of 2022:

The impugned proceedings in C.C No.1043/2012 registered for the offences punishable under Sections 109, 177, 192, 196, 417, 420, 463, 464, r/w Sec. 34 of IPC, in Crime No.128/2010 of G.C. Police Station, Vijayapur, pending on the file of the learned Addl. Civil Judge and JMFC-I, Vijayapur.

10) Crl. P No. 200856 of 2022:

The impugned proceedings in C.C No.1044/2012 registered for the offences punishable under Sections 109, 177, 192, 196, 417, 420, 463, 464, r/w Sec. 34 of IPC, in Crime



NC: 2023:KHC-K:1155
CRL.P No. 200847 of 2022
C/W CRL.P No. 200848 of 2022
CRL.P No. 200849 of 2022
CRL.P No. 200850 of 2022
CRL.P No. 200851 of 2022
CRL.P No. 200852 of 2022
CRL.P No. 200853 of 2022
CRL.P No. 200854 of 2022
CRL.P No. 200855 of 2022
CRL.P No. 200856 of 2022
CRL.P No. 200857 of 2022
CRL.P No. 200858 of 2022
CRL.P No. 200872 of 2022
CRL.P No. 200873 of 2022
CRL.P No. 200874 of 2022
CRL.P No. 200875 of 2022
CRL.P No. 200876 of 2022
CRL.P No. 200877 of 2022
CRL.P No. 200878 of 2022

No.129/2010 of G.C. Police Station, Vijayapur, pending on the file of the learned Addl. Civil Judge and JMFC-I, Vijayapur.

11) Crl. P No. 200857 of 2022:

The impugned proceedings in C.C No.1389/2012 registered for the offences punishable under Sections 109, 177, 192, 196, 417, 420, 463, 464, r/w Sec. 34 of IPC, in Crime No.70/2010 of G.C. Police Station, Vijayapur, pending on the file of the learned Addl. Civil Judge and JMFC-I, Vijayapur.

12) Crl. P No. 200858 of 2022:

The impugned proceedings in C.C No.1390/2012 registered for the offences punishable under Sections 109, 177, 192, 196, 417, 420, 463, 464, r/w Sec. 34 of IPC, in Crime No.327/2010 of G.C. Police Station, Vijayapur, pending on the file of the learned Addl. Civil Judge and JMFC-I, Vijayapur.

13) Crl. P No. 200872 of 2022:

The impugned proceedings in C.C No.1391/2012 registered for the offences punishable under Sections 109, 177, 192, 196, 417, 420, 463, 464, r/w Sec. 34 of IPC, in Crime



NC: 2023:KHC-K:1155
CRL.P No. 200847 of 2022
C/W CRL.P No. 200848 of 2022
CRL.P No. 200849 of 2022
CRL.P No. 200850 of 2022
CRL.P No. 200851 of 2022
CRL.P No. 200852 of 2022
CRL.P No. 200853 of 2022
CRL.P No. 200854 of 2022
CRL.P No. 200855 of 2022
CRL.P No. 200856 of 2022
CRL.P No. 200857 of 2022
CRL.P No. 200858 of 2022
CRL.P No. 200872 of 2022
CRL.P No. 200873 of 2022
CRL.P No. 200874 of 2022
CRL.P No. 200875 of 2022
CRL.P No. 200876 of 2022
CRL.P No. 200877 of 2022
CRL.P No. 200878 of 2022

No.130/2010 of G.C. Police Station, Vijayapur, pending on the file of the learned Addl. Civil Judge and JMFC-I, Vijayapur.

14) Crl. P No. 200873 of 2022:

The impugned proceedings in C.C No.1392/2012 registered for the offences punishable under Sections 109, 177, 192, 196, 417, 420, 463, 464, r/w Sec. 34 of IPC, in Crime No.131/2010 of G.C. Police Station, Vijayapur, pending on the file of the learned Addl. Civil Judge and JMFC-I, Vijayapur.

15) Crl. P No. 200874 of 2022:

The impugned proceedings in C.C No.1393/2012 registered for the offences punishable under Sections 109, 177, 192, 196, 417, 420, 463, 464, r/w Sec. 34 of IPC, in Crime No.132/2010 of G.C. Police Station, Vijayapur, pending on the file of the learned Addl. Civil Judge and JMFC-I, Vijayapur.

16) Crl. P No. 200875 of 2022:

The impugned proceedings in C.C No.1396/2012 registered for the offences punishable under Sections 109, 177, 192, 196, 417, 420, 463, 464, r/w Sec. 34 of IPC, in Crime



NC: 2023:KHC-K:1155
CRL.P No. 200847 of 2022
C/W CRL.P No. 200848 of 2022
CRL.P No. 200849 of 2022
CRL.P No. 200850 of 2022
CRL.P No. 200851 of 2022
CRL.P No. 200852 of 2022
CRL.P No. 200853 of 2022
CRL.P No. 200854 of 2022
CRL.P No. 200855 of 2022
CRL.P No. 200856 of 2022
CRL.P No. 200857 of 2022
CRL.P No. 200858 of 2022
CRL.P No. 200872 of 2022
CRL.P No. 200873 of 2022
CRL.P No. 200874 of 2022
CRL.P No. 200875 of 2022
CRL.P No. 200876 of 2022
CRL.P No. 200877 of 2022
CRL.P No. 200878 of 2022

No.137/2010 of G.C. Police Station, Vijayapur, pending on the file of the learned Addl. Civil Judge and JMFC-I, Vijayapur.

17) Crl. P No. 200876 of 2022:

The impugned proceedings in C.C No.1830/2011 registered for the offences punishable under Sections 109, 177, 192, 196, 417, 420, 463, 464, r/w Sec. 34 of IPC, in Crime No.123/2010 of G.C. Police Station, Vijayapur, pending on the file of the learned Addl. Civil Judge and JMFC-I, Vijayapur.

18) Crl. P No. 200877 of 2022:

The impugned proceedings in C.C No.1831/2011 registered for the offences punishable under Sections 109, 177, 192, 196, 417, 420, 463, 464, r/w Sec. 34 of IPC, in Crime No.124/2010 of G.C. Police Station, Vijayapur, pending on the file of the learned Addl. Civil Judge and JMFC-I, Vijayapur.

19) Crl. P No. 200878 of 2022:

The impugned proceedings in C.C No.1832/2011 registered for the offences punishable under Sections 109, 177, 192, 196, 417, 420, 463, 464, r/w Sec. 34 of IPC, in Crime



NC: 2023:KHC-K:1155
CRL.P No. 200847 of 2022
C/W CRL.P No. 200848 of 2022
CRL.P No. 200849 of 2022
CRL.P No. 200850 of 2022
CRL.P No. 200851 of 2022
CRL.P No. 200852 of 2022
CRL.P No. 200853 of 2022
CRL.P No. 200854 of 2022
CRL.P No. 200855 of 2022
CRL.P No. 200856 of 2022
CRL.P No. 200857 of 2022
CRL.P No. 200858 of 2022
CRL.P No. 200872 of 2022
CRL.P No. 200873 of 2022
CRL.P No. 200874 of 2022
CRL.P No. 200875 of 2022
CRL.P No. 200876 of 2022
CRL.P No. 200877 of 2022
CRL.P No. 200878 of 2022

No.125/2010 of G.C. Police Station, Vijayapur, pending on the file of the learned Addl. Civil Judge and JMFC-I, Vijayapur.

Sd/-
JUDGE

BKM
List No.: 1 Sl No.: 18