



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 26TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE G BASAVARAJA

CRIMINAL PETITION NO. 200358 OF 2026

(482(Cr.PC)/528(BNSS))

BETWEEN:

1. SADIQUE ANJUM S/O ABDUL RAHEMAN
AGED ABOUT 37 YEARS
OCC: COMPUTER WORK
RESIDING AT WARD NO.6
ISLAM NAGAR , MANVI
DIST: RAICHUR-584123
2. RIJWAN RABBANI S/O MOHAMMED HANEEF
AGED ABOUT 33 YEARS, OCC: COMPUTER WORK
RESIDING AT WARD NO.1
KURDI MANVI, DIST: RAICHUR-584203

...PETITIONERS

(BY SRI.MOHAMMAD MUJTABA ZUBER, ADVOCATE)

AND:

1. STATE OF KARNATAKA
BY MANVI PS
REPRESENTED BY HCGP
HIGH COURT BUILDING
HIGH COURT OF KARNATAKA
KALABURAGI-585103
2. CHANDRAKANTHA
L.D TAHSILDAR MANVI
AGED ABOUT 54 YEARS
R/AT TAHSIL OFFICE MANVI
MANVI RAICHUR-584123

...RESPONDENTS

(BY SRI.JAMADAR SHAHABUDDIN, HCGP)





THIS CRL.P IS FILED U/SEC. 482 OF CR.P.C (OLD) U/SEC. 528 OF BNSS (NEW) PRAYING TO QUASH THE ENTIRE PROCEEDINGS IN C.C. NO.332/2024 ARISING OUT OF CRIME NO.0182/2023 REGISTERED BY RESPONDENT NO.1 MANVI POLICE STATION FOR THE OFFENCE UNDER SECTION 66(C) AND 66(D) OF THE INFORMATION TECHNOLOGY ACT AND SECTION 420 OF THE INDIAN PENAL CODE PENDING ON THE FILE OF HONOURABLE CIVIL JUDGE AND JMFC MANVI IN SO FAR AS RELATED TO THE PETITIONERS HEREIN 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 G BASAVARAJA

ORAL ORDER

The petitioners who are accused Nos.3 and 5 in C.C. No.332/2024 arising out of Crime No.0182/2023, pending on the file of Civil Judge and JMFC Manvi, have filed this petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking following relief:

"Wherefore it is humbly prayed that this Hon'ble Court may graciously be pleased to quash the entire proceedings in C.C.No.332/2024 arising out of Crime No.0182/2023 registered by respondent No.1-Manvi Police Station for the offence under



Sections 66(C) and 66(D) of the Information Technology Act and Section 420 of IPC, pending on the file of Hon'ble Civil Judge and JMFC Manvi, insofar as related to the petitioners herein in the interest of justice and equity."

2. Heard the learned counsel for the petitioners and the learned High Court Government Pleader for the respondent No.1 – State.

3. Learned counsel appearing on behalf of the petitioners would submit that the petitioners have not committed any offence as alleged against them. The entire prosecution case is based on a generalized and omnibus allegation that certain computer centers in Manvi town unauthorisedly submitted applications under the Gruha Lakshmi Yojana, and the complainant does not disclose any specific overt act, role, or involvement attributable to petitioner Nos.1 and 2/accused Nos.3 and 5. The complaint dated 24.07.2023 does not allege that petitioners impersonated any person, dishonestly used any



unique identification, password or electronic signature, which is a mandatory requirement to attract offences under Sections 66(C) and 66(D) of Information Technology Act. In the absence of any allegation or material to show dishonest inducement, deception or wrongful gain to petitioner Nos.1 and 2/accused Nos.3 and 5, the offence under Section 420 of IPC is not attracted and the continuation of the proceedings is wholly unsustainable in law. The charge sheet does not disclose that the petitioners had access to or misused any official Grama one login credentials nor does it specify from whom such credentials were obtained or how they were allegedly misused. Even if the entire allegation in the charge sheet is taken at their face value, they at best, disclose an alleged regulatory or procedural irregularity and do not constitute cognizable criminal offence. On all these grounds sought for allowing of the petition.



4. Per contra, learned High Court Government Pleader appearing for respondent No.1-State opposed to the petition.

5. I have examined the materials placed before this Court.

6. On the basis of the complaint filed by Chandrakantha L.D, Tahsildar Manvi, the Manvi police have registered the case in Crime No.182/2023 against the owner of Surya Computer Center, owner of Lakshmi Computer Center and owner of Excel Computer Center for the commission of offence under Sections 66(C) and 66(D) of Information Technology Act and Section 420 of IPC. After investigation, the Investigating Officer has submitted the charge sheet against accused Nos.1 to 5 for the aforesaid offences. Among five accused, the present petitioners are accused Nos.3 and 5. In the charge sheet at column No.17, it is alleged as follows:



“ಘನ ಸರ್ಕಾರದ ಯೋಜನೆಯಾದ ಗೃಹ ಲಕ್ಷ್ಮೀ ಯೋಜನೆಯ ಅರ್ಜಿಗಳನ್ನು ಬೆಂಗಳೂರು ಒನ್, ಕರ್ನಾಟಕ ಒನ್, ಗ್ರಾಮ ಒನ್. ಬಾಪೂಜಿ ಸೇವಾ ಕೇಂದ್ರಗಳಲ್ಲಿ ಮಾತ್ರ ಉಚಿತವಾಗಿ ಅರ್ಜಿದಾರರಿಗೆ ಅರ್ಜಿ ಸಲ್ಲಿಸಲು ಅವಕಾಶ ನೀಡಿದ್ದು ಇರುತ್ತದೆ, ಆದರೆ ಈ ದೊ.ಪ. ಕಾಲಂ ನಂ 14 ರಲ್ಲಿ, ನಮೂದಿಸಿದ ಸಾಕ್ಷಿ ನಂ 11 ರವರಿಗೆ ಮಾನವಿ ನಗರದ ಸೂರ್ಯ ಕಂಪ್ಯೂಟರ್ ಸೆಂಟರ್, ಲಕ್ಷ್ಮೀ ಕಂಪ್ಯೂಟರ್ ಸೆಂಟರ್, ಎಕ್ಸೆಲ್ ಕಂಪ್ಯೂಟರ್ ಸೆಂಟರ್‌ಗಳ ಮಾಲೀಕರು ಅನಧಿಕೃತವಾಗಿ ಸದರಿ ಯೋಜನೆಯ ಅರ್ಜಿಗಳನ್ನು ಗ್ರಾಮ ಒನ್ ಕೇಂದ್ರದ ಲಾಗಿನ್ ಗಳನ್ನು ಬಳಸಿಕೊಂಡು ಫಲಾನುಭವಿಗಳಿಂದ ಪ್ರತಿ ಅರ್ಜಿಗೆ 100 ರಿಂದ 200 ರೂ ಗಳನ್ನು ಪಡೆದು ಅರ್ಜಿಗಳನ್ನು ಹಾಕುತ್ತಿರುವುದರ ಬಗ್ಗೆ, ಮಾಹಿತಿ ಬಂದ ಹಿನ್ನೆಲೆಯಲ್ಲಿ ಸಾಕ್ಷಿ ನಂ 1 ರವರಿಗೆ ಮಾಹಿತಿ ನೀಡಿದ್ದು ಇರುತ್ತದೆ.

ಈ ಹಿನ್ನೆಲೆಯಲ್ಲಿ ಸಾಕ್ಷಿ ನಂ 1 ರವರು ಸಾಕ್ಷಿ ನಂ 6 ರಿಂದ 9 ರವರೊಂದಿಗೆ ದಿನಾಂಕ 24-07-2023 ರಂದು ಬೆಳಿಗ್ಗೆ 11-00 ಗಂಟೆಯಿಂದ ಮಧ್ಯಾಹ್ನ 1-00 ಗಂಟೆಯ ಅವಧಿಯಲ್ಲಿ ಮಾನವಿ ಪಟ್ಟಣದಲ್ಲಿ ಹೊರಟು ಮಾಹಿತಿ ಸಂಗ್ರಹಿಸಿ ದಾಳಿ ಮಾಡಿ ಆರೋಪಿನಂ 1 ರಿಂದ 3 ರವರ ಮೂರು ಕಂಪ್ಯೂಟರ್ ಸೆಂಟರ್‌ಗಳನ್ನು ಮುಟ್ಟುಗೋಲು ಮಾಡಿಕೊಂಡು ಆರೋಪಿ ನಂ 1 ರಿಂದ 3 ರವರನ್ನು ವಿಚಾರಣೆ ಮಾಡಿದಾಗ ಆರೋಪಿ ನಂ 1 ರವರು ಆರೋಪಿ ನಂ 4 ರವರೊಂದಿಗೆ ಪ್ರತಿ ಅರ್ಜಿಗೆ ಅರ್ಧದಷ್ಟು ಹಣವನ್ನು ತೆಗೆದುಕೊಳ್ಳಲು ಮಾತನಾಡಿಕೊಂಡು ಅವರಿಂದ ಗ್ರಾಮ ಒನ್ ನೇದ್ದರ ಹಾಗೂ ಆರೋಪಿ ನಂ 2 ರವರು ತಮ್ಮ ಹೆಸರಿಗೆ ಆಗಿರುವ ಸಾದಾಪೂರ ಗ್ರಾಮ ಒನ್ ನೇದ್ದರ ಮತ್ತು ಆರೋಪಿ ನಂ 3 ರವರು ಆರೋಪಿ ನಂ 5 ರವರೊಂದಿಗೆ ಪ್ರತಿ ಅರ್ಜಿಗೆ ಅರ್ಧದಷ್ಟು ಹಣವನ್ನು ತೆಗೆದುಕೊಳ್ಳಲು ಮಾತನಾಡಿಕೊಂಡು ಅವರಿಂದ ಗ್ರಾಮ ಒನ್ ನೇದ್ದರ ಲಾಗಿನ್ ಮತ್ತು ಪಾಸವರ್ಡ್ ಗಳನ್ನು ತೆಗೆದುಕೊಂಡು ಫಲಾನುಭವಿಗಳಿಂದ ಪ್ರತಿ ಅರ್ಜಿಗೆ 100 ರೂ ಗಳನ್ನು ಪಡೆದುಕೊಂಡು ಆರೋಪಿ ನಂ 1 ರಿಂದ 3 ರವರು ಎಲ್ಲರೂ ತಮ್ಮ ತಮ್ಮ ಲಾಭಕ್ಕೋಸ್ಕರ ಅರ್ಜಿಯನ್ನು ಕಾನೂನು ಬಾಹಿರವಾಗಿ ಹಾಕಿಕೊಟ್ಟು ಸರ್ಕಾರಕ್ಕೆ ಹಾಗೂ ಫಲಾನುಭವಿಗಳಿಗೆ ಮೋಸ ಮಾಡಿದ್ದು ಇರುತ್ತದೆ.

ಈ ಪ್ರಕರಣದ ತನಿಖೆಯಿಂದ ಆರೋಪಿತರ ವಿರುದ್ಧ ಕಲಂ 66 (ಸಿ), 66 (ಡಿ) ಐ.ಟಿ, ಕಾಯ್ದೆ ಹಾಗೂ 420 ಐ.ಪಿ.ಸಿ. ಅಡಿಯಲ್ಲಿ ಸಾಬೀತಾಗಿದ್ದರಿಂದ ಸದರಿಯವರ ವಿರುದ್ಧ ಈ ದೋಷಾರೋಪಣೆ ಪತ್ರವನ್ನು ಸಲ್ಲಿಸಲಾಗಿದೆ.”



7. On perusal of prosecution papers, it is clear that the Investigating Officer has not seized any applications said to have been filed by the beneficiaries for Gruha Lakshmi Yojana and none of the applicants who have submitted application for Gruha Lakshmi Yojana have not examined by the Investigating Officer. The Investigating Officer has not placed any materials to constitute the offence under Section 420 of IPC and Sections 66(C) and Section 66(D) of Information Technology Act, 2008. Absolutely there are no prima facie materials to proceed against the petitioners for the alleged commission of offences. The continuation of proceedings against the petitioners without any prima facie materials amounts to abuse of process of law. Accordingly, I proceed to pass the following:

ORDER

- (a) The petition is ***allowed***.
- (b) The proceedings initiated against the petitioners/accused Nos.3 and 5 in



C.C.No.332/2024 arising out of Crime No.0182/2023 registered by the Manvi Police, for the commission of offence under Sections 66(C) and 66(D) of Information Technology Act and Section 420 of IPC, pending on the file of Civil Judge and JMFC Manvi, is hereby quashed.

Registry is directed to send the copy of this order to the trial Court.

**Sd/-
(G BASAVARAJA)
JUDGE**

MSR
List No.: 1 Sl No.: 36