



IN THE HIGH COURT OF KARNATAKA, DHARWAD BENCH

DATED THIS THE 29TH DAY OF JANUARY, 2025

BEFORE

THE HON'BLE MR. JUSTICE HEMANT CHANDANGOUDAR

CRIMINAL PETITION NO. 102893 OF 2022 (482(Cr.PC)/528(BNSS))

BETWEEN:

SRI. KRISHNAPPA RAMAPPA HATTI
S/O. RAMAPPA
AGED ABOUT 34 YEARS,
OCC. ASSISTANT LINEMEN,
R/O. P.O. KANAKALA, ALAKOPPARA,
MUDDEBIHAL TALUK,
VIJAYAPURA DIST-586203.

...PETITIONER

(BY PRASHANTH MOGALI, ADVOCATE FOR
SRI. GURURAJENDRA JAVALI, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
(THROUGH MALA MARUTHI
POLICE STATION,BELAGAVI),
R/BY ITS STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
AT DHARWAD-580011.

2. SRI. PRAVEEN K. CHIKADE
AGE. 48 YEARS,
EXECUTIVE ENGINEER (ELE),
O AND M RURAL DIVISION, HESCOM,
GANDHI NAGAR, BELAGAVI-590016.

...RESPONDENTS

(BY SRI. T.HANUMAREDDY, AGA FOR R1;
SRI. B.S.KAMATE, ADVOCATE FOR R2)

THIS CRIMINAL PETITION IS FILED U/S 482 OF CR.P.C.
SEEKING TO, QUASH THE ENTIRE PROCEEDINGS IN C.C.NO.
206/2022 PENDING ON THE FILE OF THE COURT OF JMFC II AT
BELAGAVI AND CONSEQUENTLY ALSO QUASH THE ENTIRE
CHARGE SHEET FILED BY THE RESPONDENT POLICE FOR THE





OFFENCES PUNISHABLE U/SEC. 464, 465, 468, 471, 427 AND 420 OF IPC, AS AGAINST THE ACCUSED NO.1/THE PETITIONER, IN CRIME NO. 188/2018 OF MALA MARUTHI POLICE STATION, BELAGAVI AS IT IS ILLEGAL AND NOT MAINTAINABLE.

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

CORAM: THE HON'BLE MR JUSTICE HEMANT CHANDANGOUDAR

ORAL ORDER

1. The prosecution alleges that the petitioner secured employment as a Lineman in HESCOM by producing a fabricated marks card.

2. The petitioner's appointment was subsequently canceled. However, the learned Single Judge set aside the cancellation. An appeal was filed against this order, and a Division Bench of this Court modified the order, directing the Appointing Authority to reinstate the petitioner into service, subject to the outcome of an enquiry, while also reserving liberty to pursue criminal proceedings.

3. The petitioner contends that the enquiry initiated against him is still pending and, therefore, the criminal prosecution cannot continue concurrently. However, it is a settled principle of law that a departmental enquiry pertains to securing an appointment by producing a fabricated document, whereas a criminal prosecution seeks to punish the petitioner for fabricating such documents. There is no bar on conducting both proceedings simultaneously.



4. Accordingly, the petition is devoid of merit and stands dismissed.

**Sd/-
(HEMANT CHANDANGOUDAR)
JUDGE**

BKM
CT:vh
List No.: 1 SI No.: 29