



CNR: KAHC010153432023

NC: 2026:KHC:39642
WP No. 6772 of 2023

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.G.S. KAMAL

WRIT PETITION NO. 6772 OF 2023 (GM-POLICE)

BETWEEN:

SMT. S.N. TABASSUM,
AGED ABOUT 42 YEARS,
ADVOCATE, W/O SAIFULLA SHARIF,
17/1, KOLAR ROAD,
VIJAYAPURA DEVANAHALLI TALUK,
BANGALORE RURAL DISTRICT-562 135.

...PETITIONER

(BY SRI. P.P.HEGDE, SENIOR COUNSEL FOR
SRI.DHANUSH D. RAJ, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
THROUGH SECRETARY,
DEPARTMENT OF HOME,
VIKASA SOUDHA,
BANGALORE-560001.
2. DIRECTOR GENERAL OF POLICE
AND INSPECTOR GENERAL OF POLICE,
NRUPATHUNGA ROAD,
BANGALORE -560001.
3. COMMISSIONER OF POLICE
BANGALORE CITY,
BANGALORE-560001.

Digitally
signed by
SUMAN
Location:
HIGH
COURT OF
KARNATAKA



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4. SUPERINTENDENT OF POLICE
LOKAYUKTHA
BANGALORE-560 001.

...RESPONDENTS

(BY SRI. M.SRINIVAS KUMAR, HCGP FOR R1 TO R3,
SRI. B.B.PATIL, ADVOCATE FOR R4)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE R1 TO R4 TO REGISTER FIR FOR THE OFFENCES UNDER SECTIONS 7 AND 13 OF THE PREVENTION OF CORRUPTION ACT AND SECTIONS 384, 323, 506 R/W 34 OF IPC ON THE BASIS OF COMPLAINT OF THE PETITIONER VIDE ANNEXURE-J. ISSUE APPROPRIATE WRITS TO RESPONDENT NO.1 TO HOLD ENQUIRY AND INITIATE DISCIPLINARY ACTION AGAINST THE ERRING POLICE OFFICIALS AS DETAILED IN THE PETITIONER'S COMPLAINT DATED 06.02.2023 VIDE ANNEXURE-J.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING IN `B' GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE M.G.S. KAMAL

ORAL ORDER

1. The present petition is filed seeking directions to respondents 1 to 4 to register a case/FIR under Sections 7 and 13 of the Prevention of Corruption Act and Sections 384, 323, 506 read with Section 34 of Indian Penal Code (IPC) on the basis of the complaint filed by the petitioner at Annexure-J and to hold enquiry and initiate disciplinary



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action against the erring police officials named in the said complaint.

2. Brief facts of the case are:

- 2.1 That petitioner is a practicing lawyer for over two decades. Certain Mr.Ehsanulla Shariff had availed the professional services of the petitioner in a matrimonial dispute with his wife Ms.Lubna Farooq.
- 2.2 That on 21.04.2022 police had issued notice to said Mr.Ehsanulla Shariff directing him to appear before the investigating officer on 30.04.2022 upon a complaint which was registered in NCR No.320/2022 for the offences punishable under Sections 498A, 323, 504, 506 of IPC and Sections 3 and 4 of the Dowry Prohibition Act, 1961 which was registered upon the complaint filed by said Ms.Lubna Farooq on 04.04.2022. Accordingly petitioner along with said Mr.Ehsanulla Shariff and two others appeared before the investigation officer.
- 2.3 That petitioner had furnished certain details regarding the dispute between the parties and also regarding pendency of the divorce proceedings. It is alleged that without considering the same, the police had harassed and beaten up said Mr.Ehsanulla Shariff and his family members. Later, one Ms.B.R.Suma, Police Inspector,



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Women Police Station, Shivajinagar, demanded bribe of Rs.2,00,000/- from Mr.Ehsanulla Shariff, with a threat of implicating him in a false criminal case if the demand was not met. On refusal by said Mr.Ehsanulla Shariff to comply with her demand, she had directed Mr.Allah Bakshi, Assistant Sub Inspector of Shivajinagar Police Station and Mr.Neelakantappa Puttappa Gowda, Police Constable, to check the pockets of said Mr.Ehsanulla Shariff and they had recovered Rs.31,000/- from his pocket which was confiscated. Thereafter Mr.Neelkantappa Puttappa demanded bribe and asked to transfer the amount which Mr.Ehsanulla Shariff had in his account with a further threat of false implication into criminal case. Being afraid said Mr.Ehsanulla Shariff indeed transferred an amount of Rs.2,000/- to the account of Mr.Neelakantappa through PhonePe on 30.04.2022.

- 2.4 Subsequently, a criminal case in Crime No.74/2022 came to be filed against Mr.Ehsanulla Shariff and his mother, in furtherance to the complaint filed by said Ms.Lubna Farooq for the offences punishable under Sections 498A, 323, 504, 506 IPC and Sections 3 and 4 of Dowry Prohibition Act. An anticipatory bail was obtained for Mr.Ehsanulla Shariff and his mother. When the petitioner along with her client appeared before the Shivajinagar police station with two sureties, Ms.B.R.Suma demanded money from



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Mr.Ehsanulla Shariff and one of the sureties. When they refused, Mr.Allah Bakshi and Mr.Neelakantappa physically assaulted them removing their clothes on the instruction of Ms.B.R.Suma, and they snatched Rs.22,000/- from their pockets.

2.5 The conversation between petitioner and Ms.B.R.Suma, which took place at the police station has been recorded on the mobile phone of the petitioner. It was later learnt that entire incident was stage managed by Ms.B.R.Suma as the petitioner and her client were not ready to comply with the illegal demand.

2.6 A complaint with regard to the aforesaid incidents was forwarded with supporting documents to Director General and Inspector General of Police on 06.02.2023 as well as to the Commissioner of Police through RPAD. There was no response, as such petitioner filed a complaint before the Karnataka Lokayuktha on 08.02.2023 through RPAD addressed the Superintendent of Police Lokayuktha, which also did not meet with any response. As such, the present petition.

3. Learned Senior counsel appearing for the petitioner reiterating the grounds urged in the petition submits that the essential grievance of the petitioner was not with regard to the cases filed against her client by his wife, but



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the inaction of the Lokayuktha authorities in not taking action despite bringing to their notice harassment, physical assault coupled with demand for bribe and proof of actual payment of the bribe.

4. Learned counsel appearing for the respondent-Lokayuktha referring to statement of objections along with the parawise comments, a verification report prepared by Superintendent of Police (Co-ordination and Training), Karnataka Lokayukta, Bangalore, annexed to the Statement of Objections at Annexure-R1, submits that upon receipt of the complaint by the complainant, a case was registered in No.COMPT/UPLOK/BCD/1019/2023 which was assigned to the Additional Registrar, Lokayuktha ARLO 1 and subsequently transferred to Additional Registrar of Enquiries-9. He further submits that it is open for the petitioner to approach the Lokayuktha once again as mentioned in the concluding remarks of the response at Annexure-A and if such material is produced, appropriate action in accordance with law will be taken.

5. Heard learned counsel for the parties and perused the records.

6. Paragraph 19 of the report at Annexure-R1 to statement of objections filed by respondent-Lokayuktha read as under:



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*"19. Complaint at **Annexure-`J'** clearly making out commission of cognizable offences including the offences punishable under Sections **7 and 13 of the Prevention of Corruption Act, 1988** and the offences punishable under **Sections 384, 201, 323, 506 r/w Section 34 of IPC, 1908**. Hence, the jurisdictional police were duty bound to register the FIR and failure to do the same is opposed to dictum laid down by Hon'ble Supreme Court of India in **Lalitha Kumari V. State of Uttar Pradesh** reported in **2014 (2) SCC 1**.*

7. Further concluding remarks in the said report indicate the Superintendent of Police, Karnataka Lokayuktha was willing to revisit the matter provided petitioner furnished verifiable voice recordings substantiating the allegation of demand for bribe in accordance with the procedures following a preliminary enquiry.
8. In the light of aforesaid report and submissions made by learned counsel for respondent-Lokayukta of reconsideration of the matter, learned Senior counsel for the petitioner submits if a direction is issued to the respondent-Lokayuktha to reconsider the matter, the purpose of the petition will be served.
9. The petitioner and her client - Mr.Ehsanulla Shariff are at liberty to approach the Superintendent of Police, Karnataka Lokayukta(Co-ordination and Training), Karnataka Lokayukta, Bengaluru, within 15 days from the date of receipt of certified copy of this order along with additional statement with supporting documents and other materials, if any. Upon such submission, the Superintendent of Police, Karnataka Lokayukta, who shall,



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after due consideration, to take appropriate action one way or other as expeditiously as possible in accordance with law. Action taken shall be communicated to the petitioner within an outer limit of 60 days thereafter.

Petition is ***disposed of*** accordingly.

**SD/-
(M.G.S. KAMAL)
JUDGE**

SBN