



NC: 2026:KHC:29448
CRL.P No. 3066 of 2026
C/W CRL.P No. 9078 of 2022
CRL.P No. 4846 of 2025
AND 9 OTHERS

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 16TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.NAGAPRASANNA

CRIMINAL PETITION NO. 3066 OF 2026

C/W

CRIMINAL PETITION NO. 9078 OF 2022

CRIMINAL PETITION NO. 4846 OF 2025

CRIMINAL PETITION NO. 4905 OF 2025

CRIMINAL PETITION NO. 6091 OF 2025

CRIMINAL PETITION NO. 6147 OF 2025

CRIMINAL PETITION NO. 6188 OF 2025

CRIMINAL PETITION NO. 6218 OF 2025

CRIMINAL PETITION NO. 6323 OF 2025

CRIMINAL PETITION NO. 6443 OF 2025

CRIMINAL PETITION NO. 3087 OF 2026

WRIT PETITION NO. 25070 OF 2024 (GM-RES)

Digitally signed
by SANJEEVINI
J KARISHETTY

Location: High
Court of
Karnataka

IN CRL.P No. 3066/2026

BETWEEN:

1. SRI.HARISHA H.M.,
AGED ABOUT 32 YEARS,
S/O. KOTRAIAH,
R/A HOSAKERE VILLAGE,
JAGALURU TALUK,
DAVANAGERE,
KARNATAKA - 577 528.



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2. SRI. KOTRAIAH,
AGED ABOUT 70 YEARS,
S/O AJJAIAH,
R/A HOSAKERE VILLAGE,
JAGALURU TALUK,
DAVANAGERE,
KARNATAKA - 577 528.
3. SRI. SHARABAIAH,
AGED ABOUT 48 YEARS,
S/O KURUBA SIDDAPPA,
R/A 19TH, BALLARI TOWN,
BALLARI, KARNATAKA - 583 101.

...PETITIONERS

(BY SRI. CHANDAN B K., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
REPTD. BY ITS CHALLAKERE POLICE,
CHALLAKERE CIRCLE,
NOW REPRESENTED BY STATE P.P.,
HIGH COURT OF KARNATAKA BUILDING,
BANGALORE - 560 001.
2. SRI. T. SHIVAJI,
S/O NOT KNOWN,
AGED ABOUT (N/A),
FOOD SHIRASTEDAR,
TALUK OFFICE,
CHALLAKERE TOWN - 577 522,
CHITRADURGA DISTRICT.

...RESPONDENTS

(BY SMT.WAHEEDA M.M., HCGP FOR R1)



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THIS CRL.P. IS FILED U/S 482 OF CR.PC (FILED U/S 528 BNSS) PRAYING TO QUASH THE ENTIRE PROCEEDINGS IN CHARGE SHEET NO.968/2020 ARISING OUT OF FIR IN CRIME NO.102/2020 CHALLKERE POLICE STATION CHITRADURGA DISTRICT, U/S 7, 3 OF THE ESSENTIAL COMMODITIES ACT, 1955; U/S 420, 34 OF THE IPC AND U/S 18 OF THE PDS CONTROLLING ORDER 1992 AND PENDING AS C.C. NO. 968/2020 ON THE FILE OF THE LEARNED PRINCIPAL CIVIL JUDGE (JR.DN.) AND JMFC, CHALLAKERE, CHITRADURGA DISTRICT.

IN CRL.P NO. 9078/2022

BETWEEN:

1. SRI. SHRINIDHI.V.V.,
AGE 39 YEARS,
S/O VENKATESHA GUPTHA V.R.,
OCC: BUSINESSMAN,
NEAR BSNL OFFICE,
CHALLAKERE TOWN - 577 522,
CHITRADURGA DISTRICT.

...PETITIONER

(BY SRI. CHANDAN B.K., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
REPRESENTED BY ITS
CHALLAKERE POLICE,
CHALLAKERE CIRCLE,
NOW REPRESENTED BY STATE P.P.,
HIGH COURT OF KARNATAKA BUILDING,
BANGALORE - 560 001.



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2. SRI. T. SHIVAJI,
FOOD SHIRASTEDAR,
TALUK OFFICE,
CHALLAKERE TOWN - 577 522,
CHITRADURGA DISTRICT.

...RESPONDENTS

(BY SMT.WAHEEDA M.M., HCGP FOR R1;
R2 SERVED)

THIS CRL.P. IS FILED U/S.482 OF CR.P.C PRAYING TO QUASH THE ENTIRE PROCEEDINGS IN C.C.NO.968/2020 FILED U/S 3 AND 7 OF ESSENTIAL COMMODITIES ACT AND SECTION 420 R/W 34 OF IPC PENDING ON THE FILE OF PRINCIPAL CIVIL JUDGE AND J.M.F.C., CHALLAKERE BEING ARBITRARY, ERRONEOUS AND OPPOSED TO LAW EQUITY AND JUSTICE APART FROM BEING ABUSE OF PROCESS OF COURT, IN SO FAR AS PETITIONER HEREIN IS CONCERNED.

IN CRL.P NO. 4846/2025

BETWEEN:

1. CHANDRASHEKHAR B ALIAS
AKKI SHETTY,
S/O LATE VEERABHADRAPA,
AGED ABOUT 45 YEARS,
R/O. M G ROAD,
NEAR SAI BABA TEMPLE,
ANANTAPUR ROAD,
BALLARI TOWN,
BALLARI - 583 101.
KARNATAKA.
2. GIRISH M.,
S/O NARAYANASWAMY,



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AGED ABOUT 32 YEARS,
RESIDENT AT MUDDURAMANAYAKANAPALYA,
NELAMAGALA,
BENGALURU - 562 123.

3. RAVIKUMAR N.,
S/O NARASEGOWDA,
AGED ABOUT 34 YEARS,
RESIDENT AT
KAPARANAKOPPALU VILLAGE,
K. SHETTIHALLI HOBLI,
SRIRANGAPATTANA TALUK,
MANDYA DISTRICT - 571 401,
KARNATAKA.

4. RAVICHANDRA,
S/O LATE GOVINDAPPA,
AGED ABOUT 36 YEARS,
RESIDENT AT NEAR RAMA MANDIR TEMPLE,
7TH WARD, BAPOOJI NAGAR,
BALLARI TOWN - 583 101.

...PETITIONERS

(BY SRI. CHANDAN B K., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
BY RAMPUR POLICE STATION,
CHITRADURGA DISTRICT.
(REP. BY THE SPP,
HIGH COURT PREMISES,
BENGALURU CITY - 560 001).

2. UDAYKUMAR,
FOOD SHIRASTEDAR,



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TALUK OFFICE,
AGED ABOUT 58 YEARS,
MOLAKALMURU TALUK,
MOLAKALMURU - 577 353,
KARNATAKA.

...RESPONDENTS

(BY SMT.WAHEEDA M.M., HCGP FOR R1)

THIS CRL.P. IS FILED U/S 482 OF CR.PC (FILED U/S 528 BNSS) PRAYING TO QUASH THE PROCEEDING AGAINST THEM IN CC.NO.04/2022 THE OFFENCES P/U/S.3 AND 7 OF THE ESSENTIAL COMMODITIES ACT, 1955 AND SECTION 420 IPC, PENDING ON THE FILE OF SENIOR CIVIL JUDGE AND JMFC, MOLAKALMURU.

IN CRL.P NO. 4905/2025

BETWEEN:

1. SHASHI KUMAR G.M.,
S/O G.S.MANJUNATHA,
AGED ABOUT 30 YEARS,
R/O #28, UDDAGHATTA,
BHARMASAMUDRA POST,
JAGALUR TALUK,
DAVANGERE - 577 528.
2. KUMAR N,
S/O NAGARAJ,
AGED ABOUT 36 YEARS,
R/AT. 1ST MAIN, 1ST CROSS,
KALIDASA NAGARA,
HARIHARA TALUK,
DAVANAGERE - 577 601.



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3. S.J. ARUN KUMAR,
S/O LATE S.S. JAYANNA,
AGED ABOUT 58 YEARS,
R/AT NO.4229/22, NALANDA,
6TH CROSS, SIDDAVEERAPPA LAYOUT,
DAVANAGERE - 577 004.

...PETITIONERS

(BY SRI. CHANDAN B K., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
BY HOLALKERE POLICE,
HOLALKERE CIRCLE,
CHITRADURGA DISTRICT.

(REP. BY THE SPP,
HIGH COURT PREMISES,
BENGALURU CITY - 560 001).

2. SRI. LINGARAJU G,
FOOD INSPECTOR,
FOOD SECTION,
TALUK OFFICE, HOLALKERE TOWN,
CHITRADURGA - 577 562.

...RESPONDENTS

(BY SMT.WAHEEDA M.M., HCGP FOR R1)

THIS CRL.P. IS FILED U/S 482 CR.PC (FILED U/S 528 BNNS) PRAYING TO QUASH THE FIR IN CR.NO.95/2024 OF HOLALKERE POLICE STATION, CHITRADURGA DISTRICT U/S 7, 3 OF THE ESSENTIAL COMMODITIES ACT, 1955 PENDING ON TH FILE OF THE SENIOR CIVIL JUDGE AND JMFC, HOLALKERE, CHITRADURGA.



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IN CRL.P NO. 6091/2025

BETWEEN:

1. VIYAY,
S/O KALAVATHI,
AGED ABOUT 32 YEARS,
RESIDENT OF THEERTH VILLAGE,
ATHANI TALUK, BELAGAVI DISTRICT - 585 291.
2. GURARAJ,
S/O SHEKAPPA,
AGED ABOUT 52 YEARS,
RESIDENT OF 1ST MAIN,
1ST CROSS, KAMALANAGAR,
RANEBENNUR TOWN,
HAVERI - 581 208.

...PETITIONERS

(BY SRI. CHANDAN B K., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
BY DAVANGERE RURAL P.S.,
DAVANGERE.
REPRESENTED BY THE S.P.P.,
HIGH COURT PREMISES,
KARNATAKA - 560 001.
2. MANJUNATHA M,
FOOD INSPECTOR,
DAVANAGERE RURAL,
DAVANAGERE - 577 005.

...RESPONDENTS

(BY SMT.WAHEEDA M.M., HCGP FOR R1;
R2 SERVED)



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THIS CRL.P. IS FILED U/S 482 CR.PC (FILED U/S 528 BNNS) PRAYING TO QUASH THE PROCEEDING AGAINST THEM IN CC NO.3655/2023 THE O/P/U/S 3 AND 7 OF THE ESSENTIAL COMMODITIES ACT, 1955, SECTION 18 OF KARNATAKA ESSENTIAL COMMODITIES (PDS) PUBLIC CONTROL ORDER, 1991, PENDING ON THE FILE OF PRINCIPAL SENIOR CIVIL JUDGE AND CJM, DAVANAGERE DISTRICT.

IN CRL.P NO. 6147/2025

BETWEEN:

1. MANJA NAIKA,
S/O NAGA NAIK,
AGED ABOUT 35 YEARS,
RESIDENT OF GOGGA VILLAGE,
SHIKARIPUR TALUK,
SHIVAMOGGA - 577 427.
2. GURURAJA UPPINA,
S/O SHEKARAPPA UPPINA,
AGE ABOUT 52 YEARS,
RESIDENT OF WARD NO.03,
ITAGI VILLAGE, HAVERI TALUK,
HAVERI - 581 208.

...PETITIONERS

(BY SRI. CHANDAN B K., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
BY HARIHAR RURAL P.S.,
DAVANGERE.
(REPRESENTED BY THE S.P.P.,
HIGH COURT PREMISES).



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2. RAMESH U.R.,
FOOD INSPECTOR,
HARIHAR TALUK OFFICE,
DAVANAGERE.

...RESPONDENTS

(BY SMT.WAHEEDA M.M., HCGP FOR R1)

THIS CRL.P. IS FILED U/S 482 CR.PC (FILED U/S 528 BNSS) PRAYING TO QUASH THE PROCEEDING AGAINST THEM IN C.C.NO.105/2023 THE OFFENCES P/U/S 3 AND 7 OF ESSENTIAL COMMODITIES ACT, 1955, PENDING ON THE FILE OF PRINCIPAL CIVIL JUDGE AND JMFC, DAVANAGERE DISTRICT.

IN CRL.P NO. 6188/2025

BETWEEN:

1. ISMAIL SAB KHADAR SAB,
S/O KHADAR SAB,
AGED ABOUT 27 YEARS,
RESIDENT OF ITAGI VILLAGE,
RANEBENNURU,
HAVERI - 581 208.
2. GURURAJA UPPINA,
S/O SHEKHAPPA UPPIN,
AGED ABOUT 52 YEARS,
RESIDENT OF WARD NO.3,
ITAGI VILLAGE,
RANEBENNURU,
HAVERI - 581 208.

...PETITIONERS

(BY SRI. CHANDAN B K., ADVOCATE)



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AND:

1. THE STATE OF KARNATAKA,
BY VIDYANAGAR POLICE,
KTJ NAGAR CIRCLE,
DAVANGERE DISTRICT.
(REPRESENTED BY THE S.P.P.,
HIGH COURT OF KARNATAKA,
BENGALURU CITY - 560 001).
2. SMT. SHABEENA PARVIN,
FOOD INSPECTOR,
OFFICE OF THE ASSISTANT DIRECTOR,
I.R.A., DAVANAGERE - 577 002.

...RESPONDENTS

(BY SMT.WAHEEDA M.M., HCGP FOR R1)

THIS CRL.P. IS FILED U/S 482 CR.PC (FILED U/S 528 BNNS) PRAYING TO QUASH THE CHARGE SHEET IN CC.NO.2164/2024 ARISING OUT OF FIR IN CR.NO.232/2022 OF VIDYANAGAR POLICE STATION, DAVANAGERE DISTRICT U/S 7, 3 OF THE ESSENTIAL COMMODITIES ACT, 1955 AND KARNATAKA ESSENTIAL COMMODITIES (PUBLIC DISTRIBUTION SYSTEM) PUBLIC CONTROL ORDER 2016 U/S 18 PENDING ON THE FILE OF THE I ADDL. SENIOR CIVIL JUDGE AND JMFC, DAVANAGERE.

IN CRL.P NO. 6218/2025

BETWEEN:

1. NADHIA PASHA, (A-1)
S/O NAVAB JAN,
AGED ABOUT 35 YEARS,
RESIDENT OF RING ROAD,
HEDGE NAGAR,



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TUMAKURU ROAD,
DAVANAGERE - 577 001.

2. GURURAJ UPPIN (A-2),
S/O
AGED ABOUT 49 YEARS,
RESIDENT AT ITAGI VILLAGE,
WARD NO.3,
RANEBENNURU TALUK,
HAVERI - 581 110.

...PETITIONERS

(BY SRI. CHANDAN B K., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
BY VIDYANAGAR POLICE STATION,
DAVANAGERE - 577 001.
(REPRESENTED BY THE S.P.P,
HIGH COURT PREMISES),
BENGALURU - 560 001.
2. SHABANA PARVIN,
FOOD INSPECTOR,
AGED ABOUT 41 YEARS,
OFFICE OF ASSISTANT DIRECTOR,
FOOD DEPARTMENT,
DAVANAGERE - 597 001.

...RESPONDENTS

(BY SMT.WAHEEDA M.M., HCGP FR R1)

THIS CRL.P. IS FILED U/S 482 CR.PC (FILED U/S 528 BNSS) PRAYING TO QUASH THE PROCEEDINGS AGAINST THEM IN C.C.NO.3046/2024 THE OFFENCE P/U/S 3 AND 7 OF THE ESSENTIAL COMMODITIES ACT, 1955, SEC.18 OF



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PDS CONTROLLING ORDER, 1991 AND SEC. 419, 420 OF
IPC, PENDING ON THE FILE OF I ADDL. SENIOR CIVIL
JUDGE AND JMFC, DAVANAGERE.

IN CRL.P NO. 6323/2025

BETWEEN:

1. GIRIBABU T,
S/O. LATE THIMMANNA,
AGED ABOUT 36 YEARS,
R/O. SUJIMALLESHWARA NAGARA,
CHALLAKERE TOWN,
CHITRADURGA - 577 522.
2. RAMANJINEYALU. B.,
S/O. LATE VEERABADRAPPA,
AGED ABOUT 52 YEARS,
R/O. OPPOSITE STATE,
WARE HOUSE,
CHALLAKERE TOWN,
CHITRADURGA - 577 522.

...PETITIONERS

(BY SRI. CHANDAN B K.,ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
BY CHALLAKERE POLICE,
CHALLAKERE CIRCLE,
CHITRADURGA DISTRICT.

(REPRESENTED BY THE SPP,
HIGH COURT PREMISES,
BENGALURU CITY - 560 001).



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2. SRI. RANGASWAMY,
FOOD INSPECTOR,
FOOD SECTION,
TALUK OFFICE, CHALLAKERE TOWN,
CHITRADURGA - 577 522.

...RESPONDENTS

(BY SMT.WAHEEDA M.M., HCGP FOR R1)

THIS CRL.P. IS FILED U/S 482 CR.PC (FILED U/S 528 BNNS) PRAYING TO QUASH THE FIR IN CR.NO.406/2018 AND SUBSEQUENTLY CHARGE SHEET IN CC.173/2019 OF CHALLAKERE POLICE STATION, CHITRADURGA DISTRICT U/S 7, 3 OF THE ESSENTIAL COMMODITIES ACT, 1955 AND 420 OF IPC PENDING ON THE FILE OF THE PRL.CIVIL JUDGE AND JMFC, CHALLAKERE, CHITRADURGA.

IN CRL.P NO. 6443/2025

BETWEEN:

1. GURURAJ (A-1),
S/O SHEKHARAPPA,
AGED ABOUT 46 YEARS,
RESIDENT OF 5TH CROSS,
VIKAS NAGAR,
RANEBENNURU TOWN,
HAVERI - 581 208.

PERMANENT ADDRESS
ITAGI VILLAGE,
RANEBENNURU TALUK,
DAVANAGERE - 581 208.

2. ISMAIL ZABIULLA (A-3),
S/O MAKBUL SAB,
AGED ABOUT 42 YEARS,



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RESIDENT AT NO.22,
SHIVANAGAR MAIN ROAD,
SHIVANAGAR,
DAVANAGERE - 577 001.

3. PABHAKAR,
S/O GANESHAPPA,
AGED ABOUT 40 YEARS,
RESIDENT AT SIDDAPUR GATE,
MADHUGIRI TALUK,
TUMAKURU - 572 101.

...PETITIONERS

(BY SRI. CHANDAN B K., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
BY VIDYANAGAR POLICE STATION,
DAVANAGERE - 577 001.
(REP. BY THE SPP,
HIGH COURT PREMISES).
2. SHABANA PARVIN,
FOOD INSPECTOR,
OFFICE OF ASSISTANT DIRECTOR,
FOOD DEPARTMENT,
DAVANAGERE - 577 001.

...RESPONDENTS

(BY SMT.WAHEEDA M.M., HCGP FOR R1)

THIS CRL.P. IS FILED U/S 482 CR.PC (FILED U/S 528 BNNS) PRAYING TO QUASH THE PROCEEDINGS AGAINST THEM IN C.C.NO.66/2024 THE OFFENCES P/U/S 465 OF IPC, SEC. 3 AND 7 OF ESSENTIAL COMMODITIES ACT, 1955 AND SEC.18 OF PDS CONTROLLING ORDER 1992



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PENDING ON THE FILE OF THE I ADDL. SENIOR CIVIL
JUDGE AND JMFC, DAVANAGERE.

IN CRL.P NO. 3087/2026

BETWEEN:

1. SHIVAKUMAR R.M. @ SHIVU,
S/O MUDALAGIRI GOWDA,
AGED ABOUT 58 YEARS,
R/AT NO.112,
GONI TUMKUR VILLAGE,
TURUVEKERE TALUK,
TUMKURU - 572 227.

ALSO AT,
R/O DOOR NO.3993/84,
5TH CROSS, KUVEMPU NAGAR,
MCC B-BLOCK,
DAVANAGERE.

2. B. NAGARAJA @ NAGARAJA,
S/O BASAVARAJAPPA,
AGED ABOUT 54 YEARS,
R/AT DOOR NO.1871/1,
4TH MAIN, VINOBANAGARA,
DAVANAGERE - 577 001.

...PETITIONERS

(BY SRI. CHANDAN B K., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
BYNO DAVANAGERE EXTENSION PS.
DAVANAGERE DISTRICT.
(REP. BY THE SPP,



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HIGH COURT PREMISES,
BENGALURU CITY - 560 001).

2. SRI. KOTRAPPA,
ASSISTANT DIRECTOR,
DEPARTMENT OF FOOD AND CIVIL SUPPLY,
DAVANAGERE - 577 001.

...RESPONDENTS

(BY SMT.WAHEEDA M.M., HCGP FOR R1)

THIS CRL.P. IS FILED U/S 482 CR.PC (FILED U/S 528 BNNS) PRAYING TO QUASH THE ENTIRE PROCEEDINGS IN CHARGE SHEET NO.550/2020 ARISING OUT OF FIR IN CRIME NO.29/2013 DAVANAGERE EXTENTION POLICE STATION DAVANAGERE DISTRICT FOR OFFENCE P/U/S 9 OF THE ESSENTIAL COMMODITIES (LICENSING) ORDER 1986 U/S 7, 3 OF THE ESSENTIAL COMMODITIES ACT 1955 U/S 420, 120B, 34 OF THE IPC AND U/S 18 OF THE PDS CONTROLLING ORDER 1992 AND PENDING AS CC NO.550/2020 ON THE FILE OF THE II ADDL.CIVIL JUDGE AND JMFC DAVANAGERE.

IN WP NO. 25070/2024

BETWEEN:

1. CHALLAKERE BABBANNA @
B. RAMANJINEYULU,
C/O VEERABHADRAPPA,
AGED ABOUT 48 YEARS,
R/AT VYASHNAVI AUTO PARTS,
VTC CHALLAKERE,
DISTRICT: CHITRADURGA,
CHALLAKERE - 577 522.



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2. HOBALESHA @ HOBALESH KUMAR,
S/O OBANNA,
AGED ABOUT 28 YEARS,
R/AT NEAR YELLAMMA TEMPLE,
KATTAPPANAHATTI,
CHALLAKERE TOWN - 577 522.
3. HERALLAPPA,
S/O LATE HALLUGAPPA,
AGED ABOUT 41 YEARS,
R/O BOMMA DEVARAHALLI,
MOLLA KALLURU TALUK - 577 540.
4. RAMANNA @ DABA RAMANNA,
S/O LATE BASANNA,
AGED ABOUT 51 YEARS,
N BASAPURA GRAMA,
SONDURU GRAMA TALUK,
BALLARI DISTRICT - 583 115.

...PETITIONERS

(BY SRI. KIRAN S S., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
BY MOLAKALMURU POLICE STATION,
MAYAKONDA CIRCLE,
CHITRADURGA DISTRICT - 577 535.

(REPRESENTED BY THE S.P.P.,
HIGH COURT PREMISES,
BENGALURU CITY - 560 001.

2. SRI. GEETHANJANEYA T.K.,
FOOD INSPECTOR,



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TALUK OFFICE,
CHITRADURGA - 577 501.

...RESPONDENTS

(BY SMT.WAHEEDA M.M., HCGP FOR R1)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA READ WITH SECTION 528 OF BNS, 2023 PRAYING TO QUASH THE FIR NO.98/2024 DATED 28/07/2024 AND THE COMPLAINT REGISTERED IN CRIME NO.36 OF 2022 PENDING BEFORE THE PRINCIPAL CIVIL JUDGE (JR. DN) AND JMFC COURT, MOLAKALMUR, CHITRADURGA DISTRICT UNDER U/S 3 AND 7 OF THE ESSENTIAL COMMODITIES ACT, 1955 AND U/S 4, 8, 6 KARNATAKA ESSENTIAL COMMODITIES ACT (STORAGE ACCOUNTS MAINTAINING VALUE NOTIFICATION) ORDER 1981 AND U/SEC. 3, 4, 12, 18 OF KARNATAKA ESSENTIAL COMMODITIES (PUBLIC DISTRIBUTION SYSTEM) PUBLIC CONTROL ORDER 2016 AS PER ANNEX-A AND B AS AGAINST THE PETITIONERS HEREIN.

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

CORAM: HON'BLE MR. JUSTICE M.NAGAPRASANNA

ORAL ORDER

The petitioners in all these petitions call in question proceedings instituted by respondent No.1/State and its Official under the penal provisions of the Essential Commodities Act, 1955.



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2. Since all these petitions raise a common questions of law and facts, are taken up together and considered in this common order.

3. Heard, learned counsel appearing for the petitioners, and the learned High Court Government Pleader appearing for respondent No.1.

4. The learned counsel appearing for the petitioners would submit that the issue in the *lis* stands covered by the judgment rendered by Dharwad Bench of this Court in the case of **SUBANIYA FIROJ S/O ABBAS, Vs. STATE OF KARNATAKA, Crl.P.No.102941/2025, disposed on 31.10.2025**, has held as follows:

"The petitioners are before this Court calling in question the proceedings in Kushtagi Police Station Crime NO.134/2022 registered for the offences punishable under Sections 3 and 7 of the Essential Commodities Act, 1955.

2. Learned counsel for the petitioners submits that the issue in the *lis* stands covered by the judgment rendered by the Co-ordinate Bench of this Court in the case of T. Tippeswamy S/o. Sanna Tippaiah Vs. the State of Karnataka in Crl.P. No.5130/2023, disposed off on 29.08.2023, wherein the identical issues have been raised and have been answered in favour of the petitioners therein. The Co-ordinate Bench of this Court has held as follows:

"1. The petitioners are before this Court seeking for the following reliefs:



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"WHEREFORE, the petitioners in the above case most humbly pray this Hon'ble court to be please to quash the FIR in Cr.No.172/2016 of Rampura Police Station, Molakamuru circle, Chitradurga district for offences punishable u/s 3 and 7 of the Essential Commodities Act, 1955 and further be pleased to quash the entire proceedings pending In CC.No.489/2017 on the file of Civil Judge & JMFC Molakalmuru, Chirtradurga District for offences punishable u/s 3 and 7 of the Essential Commodities Act, 1955 as against them, in the Interest of justice."

2. credible On 26.12.2016, the complainant (Food Shirastedar, Molakalmuru Taluk) had received information that Eicher lorry bearing No.KA-16-B-4335 was proceeding to Challakere from Bellary transporting rice meant for Public Distribution without any valid licence.

3. The said Food Shirastedar who is the defacto complainant went to the Rampura Police Station and informed the concerned PSI about the credible information and lodged the written complaint.

4. At about 3.00 pm., when the said vehicle arrived in front of Rampura Police Station from Bellary side, the vehicle was stopped by the police alleging that the contents of the goods in the vehicle were rice worth about Rs.45,000/- in 45 gunny bags and another set of rice in 170 plastic bags worth about Rs.1,36,000/- allegedly on the ground that same was meant for Public Distribution System.

5. A complaint in Crime No.172/2016 came to be registered for the offences punishable under Sections 3 and 7 of Essential Commodities Act, 1955, the mahazar was conducted and upon investigation, a charge sheet has been filed on 08.05.2017, which is under challenge in these proceedings.



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6. On an earlier occasion, the petitioners had approached this Court in Crl.P.No.2048/2018, which came to be disposed of on 26.09.2022 in terms of the order passed in Crl.P.No.9689/2016.

7. The contention of the learned counsel for the petitioners is that paragraph No.14 of the said order in Crl.P.No.9689/2016 has not been complied with and as such, the charge sheet is required to be quashed.

8. Learned Addl. SPP, however, submit that in an earlier Crl.P.No.2048/2018, the petitioners had failed to bring to the knowledge of this Court that the charge sheet has already been laid on 08.05.2017 and hence, the question of following the direction in paragraph No.14 of the order in Crl.P.No.9689/2016 would not arise simply for the in reason that the charge sheet had already been laid before the said order has been passed and thereafter, the seized material already having been auctioned, the respondent Police could not send the same for verification to the Forensic Science Laboratory as required under the order Crl.P.No.9689/2016. On this ground, he submit that the direction issued in paragraph No.14 being subsequent to the charge sheet having been laid and disposal of the seized articles could not be complied with and the same cannot come to the rescue of the petitioners now and the petitioners have to stand trial.

9. Heard Sri B.K.Chandan, learned Counsel appearing for the petitioners and Sri B.N.Jagadeesha, learned Addl. SPP appearing for the respondents and perused the papers.

10. The offense which has been alleged against the petitioners is for transporting rice allegedly meant for the Public Distribution System without valid license. For that particular purpose, it is required to prima facie establish that indeed the rice was belonging to the Public Distribution System and that the petitioners



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had no right over the same. It is but required that in respect of these prima facie evidence, the invoices and payment receipts, if any, produced by the petitioners/transporters would have to be verified by the Investigating Officer before filing a charge sheet.

11. In the present case, perusal of the charge sheet indicates that no such effort has been made and the invoices which are produced along with the present petition, which have been placed before the Investigating Officer have not been considered.

12. or That apart, whether the rice belonged to the Public not could only be Distribution System ascertained by necessary examination by the Forensic Science Laboratory and a report being submitted thereto. The Investigating Officer has not caused such an examination and has gone ahead with the sale of rice on the premise that the same is perishable goods which require immediate sale.

Even if the goods are perishable, it is required for the Investigating Officer to send the said rice for necessary examination to the Forensic Science Laboratory and a report is to be obtained from the said authority.

13. In the present case, neither of the above have been done. Hence, I am of the considered opinion that there is no legs for the prosecution to stand on and prosecute the petitioners and prima facie there is nothing made out to establish the offense being committed by the petitioners. As such, there would be no purpose in prosecuting the petitioners on such frivolous grounds without any basis.

14. In view thereof, I pass the following

ORDER

1. The criminal petition is allowed.



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ii. The FIR in Crime No.172/2016 registered with the Rampura Police Station, Molkarmuru Circle, Chitradurga District, for offenses punishable under Sections 3 and 7 of the Essential Commodities Act, 1955 as also the further proceedings in CC.No.489/2017 pending on the file of Civil Judge & JMFC, Molakalmuru Taluk, Chitradurga District, are hereby quashed.

iii. All pending I.As. do not survive for consideration and the same are dismissed."

3. Learned AGA would not dispute the position of law as is observed in the case referred supra.

4. In view of the issue in the lis standing answered by the judgment as aforequoted on all its fours, the subject petition also deserves to succeed.

5. For the aforesaid reasons, the following:

ORDER

(i) The petition is allowed.

(ii) The proceedings in Kushtagi Police Station Crime No.134/2022 registered for the offences punishable under Sections 3 and 7 of the Essential Commodities Act, 1955 qua the petitioners, stand quashed."

3. Learned High Court Government Pleader would not dispute the position of law as is observed in the case referred supra.



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4. In view of the issue in the *lis* standing answered by the judgment as aforequoted on all its fours, the subject petitions also deserves to succeed.

5. For the aforesaid reasons, the following:

ORDER

(i) The petitions are allowed

(ii) The proceedings in C.C.No.968/2020 pending on the file of the learned Principal Civil Judge (Jr.Dn.) & J.M.F.C., Challakere, Chitradurga District, qua the accused Nos.2,3 and 4 are hereby quashed in CrI.P.No.3066/2026

iii) The impugned proceedings in C.C.No.04/2022 pending on the file of the learned Principal Civil Judge (Jr.Dn.) & J.M.F.C., Challakere, Chitradurga District, qua the petitioner herein is hereby quashed, in CrI.P.No.9078/2022.

iv) The impugned proceedings in C.C.No.04/2022 pending on the file of the learned Senior Civil Judge & J.M.F.C., Molakalmuru, qua accused Nos.1,2,3,4, are hereby quashed, in CrI.P.No.4846/2025.

v) The impugned FIR in Crime No.95/2024 registered by the Holalkere Police Station pending on the file of the learned Senior Civil Judge & J.M.F.C., Holalkere,



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Chitradurga, qua accused Nos.1,2,3 are hereby quashed, in Crl.P.No.4905/2025.

vi) The impugned proceedings in C.C.No.3655/2023 pending on the file of the learned Principal Senior Civil Judge & CJM, Davanagere District, qua accused Nos.1 and 2 are hereby quashed, in Crl.P.No.6091/2025.

vii) The impugned proceedings in C.C.No.105/2023 pending on the file of the learned Principal Civil Judge & JMFC, Davanagere District, qua accused Nos.1 and 2 are hereby quashed, in Crl.P.No.6147/2025

viii) The impugned proceedings in C.C.No.2164/2024 pending on the file of the learned I Additional Senior Civil Judge and JMFC, Davanagere, qua accused Nos.1 and 2 are hereby quashed, in Crl.P.No.6188/2025

ix) The impugned proceedings in C.C.No.3046/2024 pending on the file of the learned I Additional Senior Civil Judge and JMFC, Davanagere, qua accused Nos.1 and 2 are hereby quashed, in Crl.P.No.6218/2025

x) The impugned proceedings in C.C.No.173/2019 pending on the file of the learned Principal Civil Judge and JMFC, Challakere, Chitradurga, qua accused Nos.1 and 2 are hereby quashed, in Crl.P.No.6323/2025

xi) The impugned proceedings in C.C.No.66/2024 pending on the file of the learned I Additional Senior Civil



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Judge and JMFC, Davanagere, qua accused Nos.1, 3 and 4 are hereby quashed, in Crl.P.No.6443/2025

xii) The impugned proceedings in C.C.No.550/2020 pending on the file of the learned II Additional Civil Judge and JMFC, Davanagere, qua accused Nos.2 and 3 are hereby quashed, in Crl.P.No.3087/2026

xiii) The impugned FIR No.98/2024 and the complaint registered in Crime No.36/2022 by the Molakalmur Police Station pending on the file of the learned Principal Civil Judge (Jr.Dn.) & JMFC Court Molakalmur, Chitradurga District, qua accused Nos.1,2,3 and 4 are hereby quashed, in WP.No.25070/2024.

Sd/-
(M.NAGAPRASANNA)
JUDGE

HR
List No.: 2 Sl No.: 12