



CNR: KAHC010421442026

NC: 2026:KHC:36115
CRL.P No. 8966 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 15TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.NAGAPRASANNA

CRIMINAL PETITION NO. 8966 OF 2026

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

BETWEEN:

1. SAFWAN @ SAFWAN HUSSAIN
S/O HAMMABBA,
AGED ABOUT 45 YEARS,
R/AT KOPPALA HOUSE
HALEYANGADY POST AND VILLAGE
MANGALURU TALUK,
D.K.DISTRICT - 574146

...PETITIONER

(BY SRI. LETHIF B., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY
PANAMBUR POLICE STATION,
D.K.DISTRICT
REP BY SPP,
HIGH COURT BUILDING
BANGALORE - 560001

...RESPONDENT

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

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by
PADMAVATHI B
K

Location: High
Court of
Karnataka





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THIS CRL.P. IS FILED U/S 482 CR.PC (FILED U/S 528 BNNS) BY THE ADVOCATE FOR THE PETITIONER PRAYING TO QUASH THE ENTIRE PROCEEDINGS IN S.C.NO.46/2026 ON THE FILE OF THE PRL.DIST. AND SESSIONS JUDGE, D.K FOR THE OFFENCE P/U/S 120B, 115, 399, 402, 511 OF IPC AND SEC.20, 25, 27 OF INDIAN ARMS ACT OF PANAMBUR P.S. D.K DIST. WHICH IS PRODUCED AT ANNEXURE-A.

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

CORAM: **HON'BLE MR. JUSTICE M.NAGAPRASANNA**

ORAL ORDER

Heard the learned counsel Sri. Lethif B., appearing for the petitioner, Smt. Waheeda M.M., learned HCGP appearing for the respondent and have perused the material on record.

2. The petitioner is before this Court, seeking the following prayer:

"Wherefore, the Petitioner prays that this Hon'ble Court be pleased to quash the entire proceedings in S.C.No.46/2026 on the file of Principal District and Sessions Judge, Dakshinakannada for the offence punishable under section 120B, 115, 399, 402, 511 of IPC and section 20, 25 and 27 of Indian Arms Act of Panambur Police Station, D.K. District which is produced at Annexure-A, in the interests of justice."



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3. Learned counsel appearing for the petitioner would submit that the issue in the *lis* stands covered by the judgment rendered by the Co-ordinate Bench of this Court in Crl.P.No.4017/2019 disposed on 27.06.2019, wherein it has held as follows:

"Heard Shri Lethif B, learned Advocate for the petitioner. Shri K.Nageshwarappa, learned HCGP accepts notice for respondent-State.

2. Respondent got registered FIR No.43/2015 on 17.06.2015 in Panambur Police Station against the petitioner and others. Police after investigation have filed charge sheet against twelve accused persons for offences punishable under Sections 120(B), 115, 399, 402, 511 of IPC and Sections 20, 25, 27 of Indian Arms Act. Accused No.1, 3, 4, 6, 7 and 12 were tried in S.C.No.100/2017 by the learned Principal District and Sessions Judge, D.K. Mangaluru and since the petitioner was minor, his case got split up into J.C.No.22/2016 in Cr.No.43/2015. By judgment and order dated 30.11.2018, the learned Sessions Judge acquitted all six accused by recording that the prosecution had failed to prove the case.

3. Since co-accused have been acquitted and the said judgment has attained finality, no useful purpose would be served by subjecting the petitioner to undergo trial, as the allegations levelled against the accused are common in nature. *[See, Ashraf K.S. Vs. The State (Crl.P.No.3809/2017 decided on 12.06.2018)].*

4. Resultantly, this petition merits consideration and accordingly it is **allowed**. All proceedings in J.C.No.22/2016 (Crime No.43/2015) of Panamburu Police Station, D.K.District for the offence punishable under Sections 120(B), 115, 399, 402, 511 of IPC and Sections 20, 25 and 27 of Arms Act, pending on the file of the President, Juvenile Justice Board and Principal Senior Civil Judge & CJM at Mangaluru are quashed, so far as petitioner is concerned.



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No costs."

In the light of the order passed by the Co-ordinate Bench of this Court (*supra*) and for the reasons aforementioned, the following:

ORDER

- (i) The Criminal Petition is allowed.
- (ii) The proceedings in S.C.No.46/2026 pending before the Principal District and Sessions Judge, Dakshina Kannada, stand quashed, *qua* the petitioner.

**Sd/-
(M.NAGAPRASANNA)
JUDGE**

SJK
List No.: 1 Sl No.: 15