



CNR: KAHC010538262026

NC: 2026:KHC:49481
CRL.P No. 11910 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 10TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

CRIMINAL PETITION NO. 11910 OF 2026

BETWEEN:

MR. VARUN SHRIVALSAN,
ALIAS VARUN SREEVALSAN,
AGED ABOUT 35 YEARS,
S/O. K.P SREEVALSAN,
RESIDING AT INDDEVARAM,
ANRA-32, AKSHAYA NAGAR,
NEERAMANKARA, THIRUVANANTHAPURAM,
KERALA 695040.

...PETITIONER

(BY SRI SIDDHARTH PADMARAJ DESAI.,ADVOCATE)

AND:

STATE BY SUDDAGUNTEPALYA
POLICE STATION,
REP. BY SPP OFFICE,
HIGH COURT BUILDING,
BENGALURU - 560 001.

...RESPONDENT

(BY SRI M V ANOOP KUMAR, ADDL. SPP)

THIS CRL.P IS FILED U/S 482 CR.PC (FILED U/S 528 BNSS) BY THE ADVOCATE FOR THE PETITIONER PRAYING THAT THIS HONOURABLE COURT MAY BE PLEASED TO QUASH THE PROCEEDINGS IN C.C.NO.27536/2021, PENDING BEFORE THE COURT OF THE CJM, BENGALURU CITY, VIDE ANNEXURE-C FOR THE OFFENCES P/U/S 20(b) OF NDPS ACT 1985, IN SO FAR AS THE PETITIONER/ACCUSED NO.2 IS CONCERNED, CONSEQUENTLY QUASH ALL FURTHER PROCEEDINGS IN PURSUANCE THEREOF.

Digitally
signed by
PRAMILA G V
Location
HIGH COURT
OF
KARNATAKA





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

CORAM: HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

ORAL ORDER

Heard the learned counsel appearing for the
petitioner and learned Additional SPP for respondent
No.1/State.

2. This petition is filed to quash the proceedings in
C.C.No.27536/2021 pending before Chief Judicial
Magistrate, Bengaluru.

3. The petitioner is charged for the offence under
Section 20(b) of Narcotic Drugs and Psychotropic
Substances Act, 1985. The petitioner is accused No.2.

4. It is brought to the notice of this Court that
accused No.1 has pleaded guilty.

5. Learned counsel appearing for the petitioner
would submit that the statement of one of the seizure
witnesses produced along with the charge would indicate
that the information relating to the alleged prohibited



substance is received at 06.00 a.m. and complaint is registered at 09.00 a.m. The seizure took place in the morning and the police statement is made to the effect that the information relating to the substance was received in the evening on the same day. Thus, it is the contention that if the information was received in the evening, there could not have been a seizure in the morning. Thus, would contend that the charge sheet and the proceeding have to be quashed.

6. Learned Additional SPP would submit that the seizure took place in the morning and the complaint is registered at 9 a.m. After the seizure, the witness statement is recorded thereafter.

7. Learned counsel for the petitioner by way of reply would submit that even the statement of the police annexed to the charge sheet would indicate that the alleged seizure took place in the morning. However, the information in this behalf is received in the evening.



8. The Court has considered the contentions raised at the Bar and perused the records.

9. There appears to be some discrepancy as to the time of receipt of information. However, if prima facie appears that alleged seizure is from the custody of the petitioner. The minor discrepancy relating as to the time of receipt of the information relating to the prohibited substance by itself cannot be a ground for invoking the jurisdiction under Section 482 of Code of Criminal Procedure, 1973 and Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023.

10. Under the circumstances, the petition is ***dismissed.***

11. All contentions kept open are to be raised at the time of trial.

**Sd/-
(ANANT RAMANATH HEGDE)
JUDGE**

BRN
List No.: 1 Sl No.: 52