HC-KAR
NC: 2026:KHC:60333
CRL.P No. 7978 of 2020
CNR: KAHC010401992020

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE H.P.SANDESH

CRIMINAL PETITION NO.7978 OF 2020

BETWEEN:

1. SRI. M.C. SOMANNA
   AGED ABOUT 56 YEARS
   GENERAL MANAGER
   M/S. OSSOOR ESTATES LTD.,
   P.B. NO.18, SAKALESHPURA-573134.

2. SRI. ZIAULLA SHERRIFF
   AGED ABOUT 80 YEARS
   CHAIRMAN
   REGISTERED OFFICE
   TOWER "B", 9TH FLOOR
   DIAMOND DISTRICT,
   AIRPORT ROAD
   BENGALURU-560 008.

...PETITIONERS

(BY SRI. NATARAJA BALLAL A., ADVOCATE)

Digitally signed by DEVIKA M
Location: HIGH COURT OF KARNATAKA

AND:

1. STATE OF KARNATAKA
   REP. BY RANGE FOREST OFFICER,
   BELAGODU BRANCH, SAKALESHPURA ZONE,
   SAKALESHPURA, HASSAN DISTRICT-573134
   REPRESENTED BY STATE PUBLIC PROSECUTOR
   HIGH COURT OF KARNATAKA
   BENGALURU-560001.

...RESPONDENT

(BY SRI. SUHAS GOWDA M., HCGP)

CNR: KAHC010401992020

THIS CRIMINAL PETITION IS FILED UNDER SECTION 482 OF CR.P.C PRAYING TO QUASH THE ORDER DATED 17.11.2020 TAKING COGNIZANCE IN PROCEEDINGS BEARING C.C.NO.576/2020 AND THE CHARGE SHEET NO.11/2019-20 ON THE FILE OF THE CIVIL JUDGE AND JMFC, SAKALESHPURA, HASSAN.

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

CORAM: HON'BLE MR. JUSTICE H.P.SANDESH

ORAL ORDER

Heard learned counsel for petitioners and the learned High Court Government Pleader for respondent.

2. The Trial Court has taken cognizance vide order dated 17.11.2020 in C.C.No.576/2020 and the same is challenged before this Court. This Court in Writ Petition No.9069/2023 connected with Criminal Petition No.9420/2022 dated 19.09.2026 elaborately discussed with regard to Section 55 of Wild Life (Protection) Act, 1972 wherein categorically held that Court cannot take cognizance based on the Police case, unless private complaint is filed.

3. The counsel appearing for the petitioners also relied upon order of the Apex Court dated 19.03.2026 passed in SLP

[Crl.] No.11480/2025 and the learned High Court Government Pleader, who appeared in the earlier petition in Writ Petition No.9069/2023 connected with Criminal Petition No.9420/2022 who is also appearing for the respondent in the present case not disputes the said reasoning. When such being the case, there cannot be any criminal prosecution against the petitioner by the Police by filing a charge sheet against the petitioner without filing a private complaint. Hence, the proceedings initiated against the petitioner requires to be quashed.

4. In view of the discussion made above, I pass the following:

ORDER

(i) The criminal petition is ***allowed***. The cognizance taken against the petitioner vide order dated 17.11.2020 in C.C.No.576/2020, is hereby quashed.

Sd/-
(H.P.SANDESH)
JUDGE

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List No.: 1 Sl No.: 14