HC-KAR

NC: 2026:KHC:60092-DB
CCC No. 831 of 2025

CNR: KAHC010437342025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF OCTOBER, 2026

PRESENT

THE HON'BLE MR. JUSTICE JAYANT BANERJI

AND

THE HON'BLE MRS. JUSTICE N.V.BHAVANI

CIVIL CONTEMPT PETITION NO. 831 OF 2025

BETWEEN:

B.S.KARIBASAPPA
S/O LATE SANNA BASAPPA,
AGED ABOUT 85 YEARS,
AGRICULTURIST,
R/O D B HALLI VILLAGE,
BHADRAVATHI TALUK,
SHIVAMOGGA DISTRICT-577 501.

...COMPLAINANT

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

AND:

1. THE STATE OF KARNATAKA,
DEPARTMENT OF HOME,
M.S.BUILDING,
BENGALURU-560 001,
REP. BY ITS SECRETARY.

...PROFORMA RESPONDENT

2. G.K.MITHUN KUMAR,
THE SUPERINTENDENT OF POLICE,
SHIVAMOGGA DISTRICT,
SHIVAMOGGA-577 201.

3. K.R.NAGARAJ,
THE DEPUTY SUPERINTENDENT OF POLICE
SHIVAMOGGA CITY,
SHIVAMOGGA DISTRICT-577 201.

4. LAXMIPATHI,
THE CIRCLE INSPECTOR OF POLICE,

Digitally signed by K G RENUKAMBA
Location: High Court of Karnataka

HOLEHONNUR,
BHADRAVATHI TALUK,
SHIVAMOGGA DISTRICT-577 227.

5. RAMESH,
THE SUB-INSPECTOR OF POLICE,
HOLEHONNUR, BHADRAVATHI TALUK,
SHIVAMOGGA DISTRICT-577 227.

6. M.S.SHIVAKUMAR,
S/O LATE M.C.SHIVANNA,
AGED ABOUT 51 YEARS,
D.B.HALLI VILLAGE,
BHADRAVATHI TALUK,
SHIVAMOGGA DISTRICT-577 301.

7. RUDRASHETTY
S/O LATE M.C.SHIVANNA,
AGED ABOUT 61 YEARS,
D.B.HALLI VILLAGE,
BHADRAVATHI TALUK,
SHIVAMOGGA DISTRICT-577 301.

8. SMT SANGAMMA,
W/O LATE M.C.SHIVANNA,
D.B.HALLI VILLAGE,
BHADRAVATHI TALUK,
SHVIAMOGGA DISTRICT-577 301.

…ACCUSED

(BY SMT.B.SUKANYA BALIGA, AGA FOR PROFORMA R1 & A2 TO A5;
SRI.S.R.HEGDE HUDLAMANE ADVOCATE FOR A6 AND A7)

THIS CIVIL CONTEMPT PETITION IS FILED UNDER SECTIONS 11 AND 12 OF THE CONTEMPT OF COURTS ACT, BY THE COMPLAINANT, WHEREIN PRAYS THAT THE HON'BLE COURT BE PLEASED TO ALLOW THE ABOVE CONTEMPT PETITION AND PUNISH THE ACCUSED FOR WILFUL AND DELIBERATE DISOBEDIENCE OF THE COURT ORDER PASSED BY THIS HON'BLE COURT IN W.P.NO.31920/2024 (GM-POLICE) DATED 28.11.2024 VIDE ANNEXURE - R AND CONVICT THE ACCUSED UNDER THE PROVISIONS OF CONTEMPT COURT ACT 1971.

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

CORAM: HON'BLE MR. JUSTICE JAYANT BANERJI
AND
HON'BLE MRS. JUSTICE N.V.BHAVANI

ORAL ORDER

(PER: HON'BLE MR. JUSTICE JAYANT BANERJI)

Heard learned counsel for the complainant and learned counsel for the accused.

2. This petition is filed seeking initiation of contempt proceedings against the accused for deliberate disobedience of the order dated 28.11.2024 passed by this Court in Writ Petition No. 31920/2024. By means of the order, contempt of which is alleged, the respondent Nos.4 and 5 therein, who are police authorities were directed to extend protection to the petitioner in relation to the subject property in light of the order passed by this Court in Writ Petition No. 19743/2024 (GM-POLICE).

3. On record is a compliance affidavit filed on 16.10.2026, Paragraph Nos. 6 to 10 of which read as follows:-

" xxx xxx xxx xxx

6. It is submitted that after the disposal of the W.P.No.19743/2024, the complainant had given a written complaint to the respondent no.5. However, he did not produce the copy of the orders passed by the Learned Single Judge passed in W.P. No: 19743/2024. Upon receipt of the said complaint, the same was duly registered in F.I.R. No: 304/2024. The copy of the said F.I.R. is herewith as Annexure-R-1. It is further submitted that in dutiful obedience to the Hon'ble Court's orders to provide protection, the jurisdictional police deployed personnel to the complainant's property (Sy. No. 97/1) to ensure safe agricultural activities on multiple dates, including 24/07/2025, 01/08/2025, and 26/09/2025.

7. Furthermore, upon receiving complaints of trespass and theft from the complainant, the police acted promptly by registering criminal cases against the private accused, specifically FIR No. 430/2024, FIR No. 245/2025, and FIR No. 269/2025. The copy of the FIR No.430/2024 is herewith produced ANNEXURE-R2. The copy of the FIR No.245/2025 is herewith produced as ANNEXURE-R-3. The copy of the FIR No.269/2025 is herewith produced as ANNEXURE-R-4. The Respondents-Police have consistently maintained law and order and implemented the lawful directions of this Hon'ble Court within their statutory powers.

8. The averments regarding the Hon'ble Civil Court's orders dated 29-07-2015 and the intimation dated 31-07-2015 in O.S. No. 341/2009 are matters of record. However, the allegation that the answering respondents (Police Authorities) failed to provide protection is vehemently denied as factually incorrect and baseless. With the highest respect and in strict

obedience to the Hon'ble Court's directives, the jurisdictional police have actively provided physical bandobasth (protection) at the disputed land (Sy. No. 97/1) to ensure the complainant's peaceful agricultural activities. As conclusively proven by the official deployment reports and the detailed Police Inspector's report dated 13/11/2025 submitted to this Hon'ble Court, ground protection was actively executed on multiple dates:

- *On 24/07/2025, ASI Lingaraj, HC 368 Ananda, and WPC 1376 Shivamma were deployed at the spot and provided protection for the complainant's agricultural work based on DP No. 400/2025.*

- *On 01/08/2025, ASI Krishnanaik, HC 71 Annappa, CHC 462 Prakash Naik, and CPC 1125 Vishwanath were deployed and provided full security cover based on DP No. 417/2025.*

Furthermore, photographic evidence of this police bandobasth has been recorded on-site. Therefore, the police have strictly discharged their duties, and the allegations of inaction are completely belied by official station records.

9. The averments made in para 8 of the Contempt Petition regarding the submission of the report dated 15/08/2025 by the 5th Respondent are matters of record but it is submitted that the allegations of submitting a "false report" or "colluding" with the private accused are vehemently denied as baseless. The report submitted by the police was a factual ground assessment following a physical spot inspection. Upon assessing a severe threat to life and public property at the disputed site, the police rightly requested the assistance of the competent Revenue Department to measure and

demarcate the exact physical boundaries of the land. It is respectfully submitted that land measurement and boundary identification fall exclusively under the statutory jurisdiction of the Revenue Department, not the Police Department. Seeking such vital clarification from the Revenue Department to prevent a major law and order breakdown is a standard, bona fide administrative procedure and cannot be construed as wilful disobedience of the Hon'ble Court's orders. Furthermore, official records, including the Police Inspector's comprehensive report dated 13/11/2025, conclusively prove that the police have been actively providing physical bandobasth to the complainant for his agricultural activities, directly refuting any claims of collusion or inaction.

10. It is submitted that the allegation made in para 11 of the contempt petition that Respondent Nos. 2 to 5 disobeyed the interim order in W.P. No.31920/2024 and that seeking clarification amounts to contempt is vehemently denied as factually incorrect and misconceived. Seeking physical boundary clarification from the competent Revenue Authority (Tahsildar) is a necessary, bona fide administrative procedure to ensure this Hon'ble Court's protection orders are accurately executed on the correct land parcel without causing wrongful dispossession or a breach of peace. Furthermore, the claim that the police failed to provide protection is hereby denied as evidenced by the Police Inspector's detailed report dated 13/11/2025, physical police bandobasth was actively provided at the disputed site (Sy. No. 97/1) on multiple dates, including 24/07/2025 (by ASI Lingaraj and team) and 01/08/2025 (by ASI Krishnanaik and team), successfully securing the complainant's agricultural activities. (as stated above).

4. An unconditional apology has also been tendered by the deponent, who is Sri.Laxmipathi R.L., the Police Inspector of Karnataka Lokayukta, Haveri.

5. In view of the aforesaid, we find that due steps have been taken by the Police Authorities in compliance of the order of the writ Court. This contempt petition is accordingly consigned.

Sd/-
(JAYANT BANERJI)
JUDGE

Sd/-
(N.V.BHAVANI)
JUDGE

KGR
List No.: 1 Sl No.: 32