HC-KAR

NC: 2026:KHC:60474
WP No. 22879 of 2025

CNR: KAHC010491432025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE V SRISHANANDA

WRIT PETITION NO. 22879 OF 2025 (GM-RES)

BETWEEN:

1. AYUB BEARY
S/O LATE ABDUL BEARY,
AGED ABOUT 58 YEARS,
R/AT DARUL BISHARA MANZIL,
SANTOSH NAGAR, HEMMADI VILLAGE,
KUNDAPURA TALUK,
UDUPI DISTRICT-576201.

2. FIROZ,
S/O LATE MOHAMMED
AGED ABOUT 37 YEARS,
R/AT H.NO.147-7, BEHIND BEARY SCHOOL,
KODI, KASABA VILLAGE KUNDAPUR TALUK,
UDUPI DISTRICT-576201

3. VIJAY T POOJARY,
S/O LATE TIMMA POOJARY
AGED ABOUT 41 YEARS,
R/AT H.NO.2-6, HAKRI MANE,
BADAKERE, NAVUNDA VILLAGE,
UDUPI-576224

...PETITIONERS

Digitally signed by SUMA B N
Location: HIGH COURT OF KARNATAKA

(BY SRI. MOHAMMED TAHIR., ADVOCATE)

AND:

1. STATE BY KUNDAPURA PS.,
REP. BY STATE PUBLIC PROSECUTOR,
ADVOCATE GENERAL OFFICE,

HIGH COURT COMPLEX,
BANGALORE - 560001

2. SURESH H S
GOVT. OFFICIAL GAZETTED
AGED ABOUT 47 YEARS
FOOD INSPECTOR
KUNDAPURA
UDUPI- 576201

…RESPONDENTS

(BY SMT. WAHEEDA M M., HCGP)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO 1. TO QUASH THE CHARGESHEET DATED 27/02/2023 AT ANNEXURE-C PENDING AS CC NO. 821/2023 ARISING OUT OF CRIME NO.125/2022 BY THE RESPONDENT NO.1 KUNDAPURA PS FOR THE ALLEGED OFFENCES U/S 3, 6 AND 7 OF ESSENTIAL COMMODITIES ACT PENDING BEFORE THE HON'BLE ADDL. CIVIL JUDGE AND JMFC, KUNDAPURA, WHEREIN THE PETITIONERS ARE ARRAYED AS ACCUSED NO. 1 TO 3 IN THE INTEREST OF JUSTICE AND EQUITY. 2. TO QUASH THE COGNIZANCE ORDER DATED 23/05/2023 PASSED IN CC NO. 821/2023 AT ANNEXURE-D ARISING OUT OF CRIME NO.125/2022 BY THE RESPONDENT NO.1 KUNDAPURA PS FOR THE ALLEGED OFFENCES U/S 3, 6 AND 7 OF ESSENTIAL COMMODITIES ACT PENDING BEFORE THE HON'BLE ADDL. CIVIL JUDGE AND JMFC, KUNDAPURA, WHEREIN THE PETITIONERS ARE ARRAYED AS ACCUSED NO. 1 TO 3 IN THE INTEREST OF JUSTICE AND EQUITY.

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

CORAM: HON'BLE MR. JUSTICE V SRISHANANDA

CNR: KAHC010491432025

ORAL ORDER

After addressing the arguments for sometime, Sri. Mohammed Tahir, learned counsel for the petitioners has filed a memo, which reads as under:

> *" The undersigned counsel for the petitioners humbly submits that petitioners prays leave of this Hon'ble Court to withdraw the above petition with liberty to file discharge before the learned trial Court.*
>
> *Wherefore, it is humbly prayed, kindly permit to withdraw the above petition in the interest of justice and equity."*

2. Placing the memo on record, the petition is ***dismissed as withdrawn*** with liberty as prayed for.

Sd/-
(V SRISHANANDA)
JUDGE

RL
List No.: 1 Sl No.: 38