HC-KAR
NC: 2026:KHC:61702
CRL.P No. 12595 of 2026
CNR: KAHC010569062026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 5TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

CRIMINAL PETITION NO. 12595 OF 2026

BETWEEN:

NITHYASHREE PHARMA AND SURGICALS,
BLOCK NO.1 3-1-7-32,
NO. 299/1-340/1,
NITHYASHREE PHARMA,
PRISON ROAD, KOLAR MAIN ROAD,
OPPOSITE TO SHANKAR MATA,
KOLAR-563101,
BY ITS PROPRIETOR MR DEVARAJA,
S/O KEMPEGOWDA,
AGED ABOUT 36 YEARS,
R/AT SUGATUR, BANGARPET TALUK,
KOLAR DISTRICT-563101

...PETITIONER

(BY SMT KANAKA MAHA LAKSHMI D, ADVOCATE FOR
SRI. CHETHAN A C.,ADVOCATE)

AND:

LANTERN LIFELINES (OPC) PRIVATE LIMITED
INCORPORATED UNDER THE COMPANIES ACT, 2013,
HAVING ITS REGISTERED ADDRESS AT NO.238,
IST CROSS, 2ND BLOCK,
3RD PHASE, BANASHANKARI 3RD STAGE,
BANGALORE-560085
HAVING ITS OPERATIONAL HEADQUARTERS
SITUATED AT NO.937, GROUND FLOOR,
21ST MAIN ROAD, 9TH CROSS,
J P NAGAR 2ND PHASE, BANGALORE-560078
REPRESENTED BY ITS MEMBER/MANAGING
DIRECTOR,SMT. CHANDANA SRINIVASA REDDY

...RESPONDENT

(BY SRI D MANJUNATH,ADVOCATE)

Digitally Signed by ANANT
RAMNATH HEGDE

CNR: KAHC010569062026

THIS CRL.P IS FILED U/S 482 CR.PC (FILED U/S 528 BNNS) BY THE ADVOCATE FOR THE PETITIONER PRAYING THAT THIS HONOURABLE COURT MAY BE PLEASED TO SET ASIDE THE ORDER DATED 02.07.2026 PASSED BY THE XXXVI ADDL.CMM BENGALURU IN CC NO.37701/2024 PERMITTING THE MARKING OF EXHIBITS P-28 AND P-29 AND MARKINGI EX P 33.

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 the learned counsel for the respondent.

2. Learned counsel for the petitioner submits that, the petitioner has assailed the order dated 02.07.2026 passed by the XXXVI Additional Chief Metropolitan Magistrate, Bengaluru in C.C. No.37701/2024 marking the documents produced by the complainant.

3. Learned counsel for the respondent submits that the complainant does not rely upon those documents which are allegedly not in compliance with Section 65B of the Indian Evidence Act, 1872 or Section 63 of the Bharatiya Sakshya Adhiniyam, 2023.

Digitally Signed by ANANT RAMNATH HEGDE

4. Submission of the learned counsel for the respondent is placed on record. Hence, the following:

ORDER

(i) The petition is ***allowed***.

(ii) The impugned order dated 02.07.2026 passed by the XXXVI Additional Chief Metropolitan Magistrate, Bengaluru in C.C. No.37701/2024 is set-aside.

(ii) The documents which are the subject matter of this petition shall not be considered in evidence.

(iii) The Court has not expressed anything on the merits of the matter.

All other contentions left open.

Digitally Signed by ANANT RAMNATH HEGDE

(ANANT RAMANATH HEGDE)
JUDGE

CHS
List No.: 2 Sl No.: 21