HC-KAR

NC: 2026:KHC:62084
WP No. 26418 of 2025

CNR: KAHC010576072025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 06TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE V SRISHANANDA

WRIT PETITION No.26418 OF 2025 (GM-RES)

BETWEEN:

1. SHRI SANDEEP K N
AGED ABOUT 45 YEARS,
PROPRIETOR,
SHRI VIGNESHWARA TRADERS,
A.NO-102/918/406,
SAGAR HOSANAGARA ROAD,
HOSANAGARA TALUK,
SHIVAMOGGA DISTRICT -577 418

2. SHRI RAMKUMAR
AGED ABOUT 50 YEARS
JOINT MANAGER, SPIC LTD.,
SPIC NAGAR,
MUTHIAPURAM POST,
TUTICORIN, TAMILNADU -628 001

3. SHRI ESHANNA A.G
AGED ABOUT 55 YEARS,
PROPRIETOR
SRI VENKATESHWARA TRADERS
K.K.ROAD,
ANAVERI, BHADRAVATHI TALUK
SHIVAMOGGA DISTRICT

...PETITIONERS

(BY SRI AKSHARA HEGDE FOR
SRI. NANDISH PATIL, ADVOCATES)

Digitally signed by R MANJUNATHA
Location: HIGH COURT OF KARNATAKA

AND:

SMT PRATIMA P
FERTILISER INSPECTOR AND
AGRICULTURAL OFFICER,
RAITHA SAMPARKA KENDRA,
KASABA, HOSANAGARA TALUK,
SHIVAMOGGA DISTRICT

…RESPONDENT

(BY SMT.K.P.YASHODHA, ADDITIONAL GOVERNMENT ADVOCATE)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA R/W SECTION 482 CODE OF CRIMINAL PROCEDURE PRAYING TO ISSUE AND QUASHING THE IMPUGNED COMPLAINT DATED 05.10.2024 FILED BY THE RESPONDENT UNDER SECTION 223 OF THE BHARATIYA NAGARIK SURAKSHA SANHITA (BNSS), 2023 IN P.C.R.NO.70/2024 BEFORE THE COURT OF CIVIL JUDGE (JUNIOR DIVISION) AND JMFC, HOSANAGAR FOR THE OFFENSES PUNISHABLE UNDER CLAUSE 19(a)(b) OF THE FERTILISER (CONTROL) ORDER, 1985, R/W SECTIONS 3 AND 7 OF THE ESSENTIAL COMMODITIES ACT, 1955 VIDE ANNEXURE-A, IN THE INTEREST OF JUSTICE AND EQUITY.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING IN ‘B’ GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE V SRISHANANDA

ORAL ORDER

Heard learned counsel for the petitioners.

2. Learned counsel for the petitioners would submit that the present case is covered by the principles of law enunciated by this Court in the below mentioned petitions, Orders copies of which are furnished by the learned counsel for the petitioners along with memo.

(i) Criminal Petition No.201077/2025 dated 21.07.2025.

(ii) Criminal Petition No.201076/2025 dated 21.07.2025.

(iii) Criminal Petition No.200052/2023 dated 13.02.2023 c/w Criminal Petition No.200050/2023 dated 13.02.2023 and Criminal Petition No.200051/2023 dated 13.02.2023.

3. Smt.K.P.Yashodha, learned Additional Government Advocate did not dispute that the facts of the present case do not differ from the facts and circumstances of the cases which are mentioned in the aforementioned Orders.

4. As such, in terms of the order passed in Crl.P.No. 200052/2023 c/w Crl.P.No.200050/2023, Crl.P.No.

200051/2023 dated 13.02.2023, the present petition needs to be allowed.

5. Accordingly, the following:

ORDER

(i) Petition ***allowed***.

(ii) Consequently, PCR No.70/2024 dated 05.10.2024 pending on the file of the Civil Judge (Junior Division) and JMFC, Hosanagara, is hereby quashed.

Sd/-
(V SRISHANANDA)
JUDGE

kcm
List No.: 1 Sl No.: 90
CT:VRR