



IN THE COURT OF THE CIVIL JUDGE & JMFC, AT BYADGI

Present: Sri Suresh Wagganavar, MA. LL.B., (Spl)

Civil Judge & JMFC, Byadgi.

Dated this the 18th day of March, 2026

Criminal Miscellaneous No.229/2024

Smt.Savita @ Nayana W/o Prashant K Halagi

Age: 28 years, Occ: Household work,

R/o: Hyadal/Bengaluru, now residing at

Motebennur, Tq: Byadgi, Dist: Haveri.

(By Sri.S.N.B., Advocate)

.... Petitioner

-VS-

- 1) Sri.Prashant K S/o Krishnappa Halagi
Age: 31 years, Occ: Police Constable,
R/o: Hyadal, Tq: Hoovina Hadagali,
Now residing at Sun City Layout 13th Cross
309 Kengeri Street Town
Bengaluru-560060/Kengeri Traffic Police
Station Bengaluru South.
- 2) Sri Krishnappa S/o Gumanappa Halagi
Age: 60 years, Occ: Agriculture,
R/o: Hyadal, Tq: Hoovina Hadagali,
Now residing at Sun City Layout 13th Cross
309 Kengeri Street Town
Bengaluru-560060/Kengeri Traffic Police



Station Bengaluru South.

- 3) Smt.Lalitamma W/o Krishnappa Halagi
Age: 55 years, Occ: Agriculture,
R/o: Hyadal, Tq: Hoovina Hadagali,
Now residing at Sun City Layout 13th Cross
309 Kengeri Street Town
Bengaluru-560060/Kengeri Traffic Police
Station Bengaluru South.

(By Sri.K.S.N.,Advocate)

.... Respondents

//O R D E R//

1. The counsel for petitioner has filed this application U/Sec.94 of BNSS, for issue summons to the Deputy Commissioner of Police Traffic West Division Upparapete Police Station First Floor Bangalore 560009 for production of salary certificate of respondent No.1 in the month of June-2025 in the interest of justice and equity.

2. In the application, the counsel for petitioner has stated that, he has issue right to information application to the higher



department of respondent. The higher department of respondent have not furnished any information to the petitioner. The higher authority has issued endorsement stating that, the said information is covered U/Sec.80(g) of Right to Information Act. The salary slip of respondent No.1 is much essential to prove the case of the petitioner. The above said document is necessary to adjudicate the matter. Hence, prays to allow the application.

3. Per contra, the counsel for respondent No.1 has filed objection to the present application. Wherein it is contended that the application filed by the petitioner is not maintainable under law. Only in order to harass to the respondent No.1, the petitioner has filed this application. The information of respondent No.1 of salary certificate is secret document. The application filed by the petitioner is not maintainable. Hence, prays to reject the application.



4. Heard the arguments from petitioner side. Perused the material on record. On the basis of the averments and on arguments of counsel, the following points that arise for my consideration: -

POINTS

- 1) Whether the petitioner has made out a case for allow the application U/Sec.94 of BNSS?
- 2) What order ?

5. My answer to the above points are as under:

- | | | |
|------------|---|---|
| Point No.1 | : | In the Affirmative |
| Point No.2 | : | As per final order for the following: - |

REASONS

6. **Point No.1:-** The whole facts of the case is already narrated at the inception of this order. Therefore, repetition of the same is avoided here.

7. The present application is filed by the petitioner for issue



summons to the higher authority for production of salary certificate of respondent No.1. As per Section 94 of BNSS, whenever any Court or any officer in-charge of a police station considers that the production of any document or other thing is necessary for the purpose of trial or other proceedings, such Court may issue a summons to produced the said documents. It is true that the Court being the master of the proceedings must determine as to whether the application filed by the petitioner is bonafide or not. In this case, the petitioner has stated in her application that she has filed right to information application before higher authority of respondent No.1. The higher authority of respondent No.1 have not furnished the information of respondent No.1. The petitioner has produced endorsement issued by the higher authority. On perusal of above said document, it reveals that they have not supply the salary certificate as per Section 8(1)(J) of Right to Information



Act. The said document is concerning to this petition. The petitioner has issued right to information application to the higher authority of respondent No.1 and the authority has issue endorsement stating that they have not supply the details of respondent No.1. The petitioner is unable to collect the information of salary of respondent No.1. The aid of Court is necessary to produced the above said document to prove the same. Therefore, in order to avoid multiplicity of proceedings, I feel it is just and proper to give an opportunity to the petitioner to produced documents as per application and the petitioner is shown sufficient reasons to issue summons. Accordingly, I answer the above **Point No.1 in the Affirmative.**

8. Point No.2:- for the above said discussions, I proceed to pass the following:

ORDER

**The application U/Sec.94 of BNSS.,
filed by the petitioner is hereby allowed.**



Issue summons to Deputy Commissioner of Police Traffic West Division Upparapete Police Station First Floor Bangalore 560009 for production of salary certificate of respondent No.1 by name Prashant K. S/o Krishnappa Halagi, Police Constable in the month of June-2025 by speed post.

The petitioner is hereby directed to paid PF and post cover without fail.

(Dictated to the Stenographer directly on computer, corrected by me and then pronounced in the open court on this the **18th day of March, 2026**)

**Sd/-
(Suresh Wagganavar)
Civil Judge & JMFC,
Byadgi.**