



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF FEBRUARY 2026

BEFORE

THE HON'BLE MR. JUSTICE B M SHYAM PRASAD

WRIT PETITION NO. 294 OF 2026 (GM-POLICE)

BETWEEN:

SHAZAD PASHA
S/O NAVEED PASHA
AGED 25 YEARS
R/A NO.23, A.M. STREET
NEAR SPH BAR, KALASIPALYA
BANGALORE-
PRESENTLY RESIDING AT
NO.S-7, SUNRISE APARTMENT
I MAIN ROAD, GM TEMPLE STREET
MATADAHALLI,
BANGALORE-560 032

...PETITIONER

(BY SRI. RAJA K P., ADVOCATE)

AND:

1. STATE OF KARNATAKA
REP BY ITS SECRETARY,
DEPARTMENT OF HOME,
VIDHANA SOUDHA,
DR. AMBEDKAR VEEDHI,
BANGALORE - 560 001.





2. THE SPECIAL EXECUTIVE
MAGISTRATE AND DEPUTY
COMMISSIONER OF POLICE
WEST DIVISION,
BANGALORE CITY-560001
3. THE ASST. POLICE COMMISSIONER
CHICKPET SUB-DIVISION
BANGALORE CITY-560053
4. THE INSPECTOR OF POLICE
KALASIPALYA POLICE STATION,
BANGALORE CITY-560002
5. THE STATION HOUSE OFFICER
KENCHARLA HALLI
POLICE STATION
CHIKKABALLAPURA
DISTRICT- 563125

...RESPONDENTS

(BY SRI. B. RAVINDRANATH, AGA)

THIS W.P. IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA
PRAYING TO ISSUE A WRIT ORDER OR DIRECTION
IN THE NATURE OF CERTIORARI TO QUASH THE
ORDER OF THE GADIPARU PASSED BY 2ND
RESPONDENT VIDE ITS DTD. 24.12.2025,
NO.29/MAG/GADIPARU/DCP(W)/2025 VIDE ANNEX-
A.



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

CORAM: HON'BLE MR. JUSTICE B M SHYAM PRASAD

ORAL ORDER

The petitioner, who does not dispute that he is arraigned as an accused in multiple criminal proceedings, is aggrieved by the second respondent's decision under Section 55 of the Karnataka Police Act, 1963 [for short, '*the Act*']. The petitioner contends that he has been granted bail by the jurisdictional Courts in all the proceedings and he is participating in the trial with no room for complaint, but the present externment order is despite the same.

Sri. Raja K.P, the learned counsel for the petitioner, argues in support of the petition relying upon these circumstances asserting that a request is made for externment without setting forth the details to justify such decision. Sri. B. Ravindranath, the



learned Additional Government Advocate, submits that the impugned order under Section 55(b) of the Act is passed because the jurisdictional police have verified that the petitioner has been intimidating the witnesses to ensure that they do not depose against him in the pending cases.

The impugned order indeed refers to the same, but it is shallow because the report does not mention the stage of the proceedings or the witnesses who could be intimidated. This Court is of the opinion that, in view of the provisions of Section 55(b) of the Act, the officer must frame an opinion that witnesses are unwilling to depose because of a particular person. When the impugned order is tested against this requirement, this Court opines that it must fail, and therefore, the petitioner has made out a case for interference. However, this Court must also hasten to add that it cannot impede any further proceedings



under Section 55 of the Act provided the opinion is reasoned. Hence the following:

ORDER

The petition is allowed quashing the impugned order dated 24.12.2025, but without prejudice to the respondents to begin such proceedings in the light of this Court's observations.

Sd/-
(B M SHYAM PRASAD)
JUDGE

RS
List No.: 1 Sl No.: 30