



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

WRIT PETITION NO. 9680 OF 2026 (GM-POLICE)

BETWEEN:

ATTICA GOLD PRIVATE LIMITED,
LINGARAJPURAM,
BANGALORE - 560 084.
REPRESENTED BY
BRANCH MANAGER
SANJANA NEELKANTH KUDTALKAR.

...PETITIONER

(BY SRI.SADDAM R MULLA, ADVOCATE FOR
SRI.MD.TAHIR., ADVOCATE)

AND:

STATE BY
RAMAMURTHY NAGAR P.S.,
BANGALORE.
REPRESENTED BY





STATE PUBLIC PROSECUTOR,
OFFICE AT HIGH COURT COMPLEX,
OPP. VIDHAN SAUDA,
BANGALORE - 560 001.

...RESPONDENT

(BY SRI.K.P.YOGANNA, AGA)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF
THE CONSTITUTION OF INDIA PRAYING TO SET ASIDE THE
ONEROUS CONDITION OF PRODUCING GOLD ORNAMENTS IN
IMPUGNED NOTICES DATED 13/03/2026 UNDER SECTION 94
OF BNSS AT ANNEXURE C SERIES ISSUED BY RESPONDENT
RAMAMURTHY NAGAR POLICE IN CRIME NO.171/2026 FOR THE
OFFENCE UNDER SECTION 304(2) OF BNS AND ETC.,

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

CORAM: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM



ORAL ORDER

The captioned writ petition is filed by the petitioner/company calling in question the legality and validity of the impugned notice dated 13.03.2026 issued by the jurisdictional Investigating Officer in exercise of powers conferred under Section 94 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS'). By the said notice, the petitioner/company is called upon to produce certain gold ornaments alleged to be stolen properties in connection with the crime under investigation.

2. The sum and substance of the grievance urged by the petitioner is that it is a duly registered company engaged in lawful business activities and, upon receipt of the impugned notice, it has already submitted a detailed reply enclosing all relevant records and transactional documents in its possession. It is contended that despite full cooperation extended



by the petitioner, the Investigating Officer is insisting upon production of the gold ornaments, which, according to the petitioner, is arbitrary, unwarranted and beyond the scope of lawful investigation. On these grounds, the petitioner seeks interference of this Court to quash the impugned notice.

3. Heard the learned counsel appearing for the petitioner and the learned Additional Government Advocate appearing for the respondent–State. Perused the material placed on record.

4. This Court, upon consideration of the rival submissions, is required to examine the scope and ambit of the powers vested in the Investigating Officer under the scheme of the Bharatiya Nagarik Suraksha Sanhita, 2023. Section 94 of BNSS confers wide powers upon the Investigating Officer to issue written orders to any person in possession of any document or



thing, including stolen property, requiring its production for the purposes of investigation. The said provision is a statutory recognition of the authority of the Investigating Agency to collect material evidence necessary for effective investigation.

5. It is a settled principle of criminal jurisprudence that investigation is the exclusive domain of the police authorities and the Courts ordinarily do not interfere with the process of investigation unless there is a patent lack of jurisdiction or manifest abuse of power. The scheme of BNSS further reinforces this position by empowering the Investigating Officer not only to summon production of documents and articles under Section 94, but also to examine persons acquainted with the facts and circumstances of the case, to interrogate witnesses, and to collect evidence in any form that



aids in unveiling the truth behind the alleged offence. Such powers are essential to ensure a fair, complete and effective investigation.

6. This Court is also conscious of the law laid down by the Co-ordinate Bench in IIFL Finance Limited v. State of Karnataka in W.P. No.31057/2025 dated 04.02.2026, wherein it is categorically held that the High Court, in exercise of its writ jurisdiction, ought not to interdict the investigation process at a nascent stage. It is further held that the Investigating Officer is fully empowered under Section 94 of BNSS to secure production of stolen property or any material object connected with the crime and such statutory powers cannot be curtailed by judicial intervention, save in exceptional circumstances.

7. In the present case, the impugned notice is issued in furtherance of an ongoing investigation and



is traceable to the statutory powers vested under Section 94 of BNSS. The contention of the petitioner that it has already furnished documents cannot be a ground to resist further directions issued by the Investigating Officer, if, in his considered opinion, production of the material objects is necessary for the purpose of investigation. The sufficiency or otherwise of the material collected is within the exclusive domain of the Investigating Officer and cannot be prematurely adjudicated by this Court.

8. Therefore, in the absence of any demonstrable illegality, arbitrariness or lack of jurisdiction in issuing the impugned notice, this Court finds no justifiable ground to exercise its extraordinary jurisdiction under Articles 226 and 227 of the Constitution of India to interfere with the investigation.



ORDER

The writ petition being devoid of merits stands ***dismissed***.

It is, however, open to the petitioner/company to cooperate with the investigation and place all relevant materials before the Investigating Officer, who shall proceed in accordance with law.

**Sd/-
(SACHIN SHANKAR MAGADUM)
JUDGE**

HDK
List No.: 1 Sl No.: 18