



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 4TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO.100777 OF 2026 (GM-POLICE)

BETWEEN:

SAMEERA KOM ISHAQ DAWOOD KALO,
AGE. 40 YEARS, OCC. HOUSEHOLD,
R/O. BUNDER ROAD, 1ST CROSS, 581320,
TQ. BHATKAL, DIST. UTTAR KANNADA.

...PETITIONER

(BY SRI. D.J. NAIK, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
REPRESENTED BY SECRETARY,
HOME DEPARTMENT,
VIDHAN SOUDHA, BENGALURU-01.
2. SUPERINTENDENT OF POLICE,
UTTAR KANNADA, KARWAR,
DIST. UTTAR KANNADA-580001.
3. DY SP BHATKAL,
TQ. BHATKAL,
DIST. UTTAR KANNADA-581320.
4. C.P.I. BHATKAL,
TQ. BHATKAL,
DIST. UTTAR KANNADA-581320.





5. POLICE SUB INSPECTOR,
BHATKAL TOWN POLICE,
TQ. BHATKAL,
DIST. UTTAR KANNADA-581320.
6. TAHASILDAR, BHATKAL,
TQ. BHATKAL,
DIST. UTTAR KANNADA-581320.
7. ISHAQ DAWOOD KALO S/O. DAWOOD KALO,
AGE. 55 YEARS, OCC. PRIVATE WORK,
R/O. FIRDOUS NAGAR, 1ST CROSS,
NEAR MASJIDE FIRDOUS BHATKAL,
TQ. BHATKAL, DIST. UTTAR KANNADA-581320.

...RESPONDENTS

(BY SRI. T. HANUMAREDDY, ADDL. GOVT. ADV. FOR R1 TO R6)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF CONSTITUTION OF INDIA, PRAYING TO ISSUE WRIT OF MANDAMUS; A) DIRECTING THE R-2 AND R-5 TO CONDUCT PROPER INVESTIGATION AND ARREST THE R-7 FOR ROBBERY CASE FIR VIDE ANNEXURE-B. B) DIRECTING THE R-2 TO PAY THE RECOVER THE FINE AMOUNT FOR DAMAGES AMOUNT FROM-7 AND ETC.,.

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

CORAM: THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI



ORAL ORDER

The present writ petition is filed seeking the following prayers:

"i) Directing the respondents No.2 and 5 to conduct proper investigation and arrest respondent NO.7 for robbery case vide Annexure-B.

ii) Directing respondent No.2 to pay recover the fine amount for damages amount from respondent No.7.

iii) Pass such other orders as this Hon'ble Court deems fit and proper under the facts and circumstances of the case to meet the ends of justice and equity."

2. The respondent No.7 is the husband of the petitioner and they are living separately in Bhatkal town. The petitioner filed an objection before the Tahsildar not to mutate the name of the respondent No.7 in the revenue records. On 16.10.2025, the petitioner filed a complaint against the respondent No.7. It is the case of the petitioner that the respondent Nos.4 and 5 have not taken any action against respondent No.7 and not conducted the investigation. It is stated that respondent No.7 is repeatedly attacking the petitioner. The incident had occurred in the premises of JMFC, Bhatkal. The petitioner is living alone in her



house. The respondent No.7 tried to dispossess her with gangsters, for which, the petitioner filed a complaint on 16.10.2025 and the FIR is registered against respondent No.7 and others. The police have registered the FIR and further investigation is not conducted. Respondent No.7 and others are coming up with the weapons and also assaulted the petitioner, in which, the petitioner got injured and taken to hospital. The police have not arrested respondent No.7 and not conducting any enquiry nor conducting spot panchanama and the weapons also not recovered from respondent No.7 and his gang. Hence, the petitioner is afraid to get out of the house and she is unable to lead her day to day life. According to the petitioner, it amounts to violation of the rights guaranteed under Article 21 of the Constitution of India.

3. The petitioner had given the complaint, which was registered on 16.10.2025. According to the petitioner, respondent No.7 has to be arrested and the respondents/police should conduct the investigation and file a charge sheet. Now, the FIR is registered on 16.10.2025 and another complaint is given on 18.01.2026. The respondents have to conduct the investigation and shall file the charge sheet. The allegation of the



petitioner is that respondents/police have not conducted the investigation nor recovered the weapons. This Court is not inclined to pass any order in this writ petition. The police have to conduct a detailed enquiry and have to file the charge sheet. As far as arresting the accused is concerned, even on that aspect also, this Court cannot grant any relief. This Court exercising the jurisdiction under Article 226 of the Constitution of India cannot give any direction to the police. If the petitioner is aggrieved by any of the action or inaction on the part of the police, the petitioner can file a private complaint before the concerned Court. Accordingly, this Court proceeds to pass the following:

ORDER

- i) The writ petition is ***disposed of*** giving liberty to the petitioner to avail the appropriate remedy.
- ii) All I.As. in this petition shall stand closed.

**Sd/-
JUSTICE LALITHA KANNEGANTI**

JTR
CT: UMD
List No.: 1 Sl No.: 32