



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD
DATED THIS THE 27TH DAY OF MARCH, 2026
BEFORE
THE HON'BLE MR. JUSTICE HANCHATE SANJEEVKUMAR
CRIMINAL PETITION NO.100575 OF 2026
(482 OF Cr.PC/528 OF BNSS)

BETWEEN:

1. TULAJAPPA S/O. HANUMANTASA MEHARWADE,
AGE: 33 YEARS, OCC: FACTORY WORKER,
ADDRESS: OLD HUBBALLI, R. N. SHETTY ROAD,
SAHASRARJUNA NAGAR, TQ. HUBBALLI,
DIST. DHARWAD-580028.
2. HANUMANTASA S/O. MADHUSA PAWAR,
AGE: 44 YEARS, OCC: TAILORING WORK,
ADDRESS OLD HUBBALLI, NEKARANAGAR,
CHABBI PLOT, 2ND CROSS, TQ. HUBBALLI,
DIST. DHARWAD-580028.
3. MANJUNATH S/O. RAJARAM OBAJI @ JADHAV,
AGE: 40 YEARS,
OCC: VEHICLE GLASS POLISHING WORK,
ADDRESS OLD HUBBALLI, NEKARNAGAR,
MAHALXMI COLONY, NEAR DATTATREYA TEMPLE,
SIDDAPPA RENTENT HOUSE,
TQ. HUBBALLI, DIST. DHARWAD-580028.
4. KARTHIKA S/O. MALLIKARJUNA PATTAN,
AGE: 29 YEARS,
OCC: STREET SIDE CLOTH SELLER,



ADDRESS OLD HUBBALLI, HEGGERI,
JAGADISHNAGAR NEAR,
YALLAMMA'S TEMPLE, TQ. HUBBALLI,
DIST. DHARWAD-580028.

5. GANAPATI S/O. MOHANASA ARASIDDI,
AGE: 36 YEARS, OCC: WAGE LABOURER,
R/O. NEAR MISS MALLESHI'S HOUSE,
3RD CROSS, KAMARIPET, HUBLI,
TQ. HUBBALLI, DIST. DHARWAD-580030.

...PETITIONERS

(BY SRI GOURISHANKAR H. MOT, ADVOCATE)

AND:

THE STATE OF KARNATAKA,
SUB URBAN POLICE STATION, HUBBALLI,
REP. BY ITS STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
DHARWAD BENCH, AT: DHARWAD-580011.

...RESPONDENT

(BY SRI ABHISHEK MALIPATIL, HCGP)

THIS CRIMINAL PETITION IS FILED U/S.528 OF
BHARATIYA NAGARIK SURAKSHA SANHITA, 2023, PRAYING TO
QUASH THE ENTIRE PROCEEDING AGAINST THE ACCUSED NO.1
TO 5/PETITIONERS AS FILED BY SUB URBAN POLICE STATION,
HUBBALLI IN CRIME NO.108/2025 PENDING BEFORE PRINCIPAL
CIVIL JUDGE AND JMFC., AT HUBBALLI REGISTERED IN C.C. NO.
10933/2025 FOR THE OFFENCES PUNISHABLE U/S.80 OF
KARNATAKA POLICE ACT 1963, IN THE INTEREST OF JUSTICE.

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



CORAM: THE HON'BLE MR. JUSTICE HANCHATE SANJEEVKUMAR

ORAL ORDER

The petitioners/ accused Nos.1 to 5 have filed this criminal petition under Section 482 of Code of Criminal Procedure (Cr.P.C)/528 of Bharatiya Nagarika Suraksha Sanhita, 2023 (BNSS) praying to quash the entire proceedings by making prayer in the petition as follows:

"PRAYER

*WHEREFORE, it is most humbly prayed to this Hon'ble Court may be pleased to **QUASH** the Entire proceeding against the accused no. 1 to 5 / petitioners as filed by Sub Urban Police Station in Crime No: 108/2025 pending before Hon'ble Prl Civil Judge & JMFC., at: Hubballi registered in C.C. No. 10933/2025 for the offences punishable U/Sec. 79 & 80 of Karnataka Police Act 1963, in the interest of Justice."*

2. It is the brief case of prosecution as per the complaint averments, on 16.07.2025 at about 08.30 p.m. when the respondent police was on patrolling duty, after receiving credible information that 4-5 people were playing



Andar-Bahar with the help of ispeet cards at the place as mentioned in detail in the complaint, the complainant along with other police staff raided the spot and in this regard lodged a complaint. Accordingly, the crime was registered as above stated and after conducting the investigation the articles used for playing Andar-Bahar were recovered. Thus, the crime is registered as above stated.

3. Learned counsel for the petitioners/accused Nos.1 to 4 submitted that playing Andar-Bahar is not an offence and places reliance on the judgment of this Court in the case of **ERANNA AND OTHERS VS. STATE OF KARNATAKA**¹ and also places reliance on the judgment of this Court in the case of **SHIVANAND AND OTHERS VS. STATE OF KARNATAKA**².

4. In the above said cases, the offences alleged were that the accused were playing Andar-Bahar with ispeet cards and apprehended, but it was held that playing

¹ 1977 (1) KAR.L.J 274

² CrI.P.No.101794 of 2022 dated 30.06.2022



Andar-Bahar is not an offence under the provisions of Karnataka Police Act, 1963 (for short 'the KP Act, 1963'); therefore, the proceedings initiated against the petitioners/accused were quashed.

5. In the present case also, the allegation is that the accused were playing Andar-Bahar with the help of ispeet cards. Hence, the matter is squarely covered by the judgments of this Court as above stated. Therefore, the entire proceedings against the petitioners/accused Nos.1 to 4 pending in C.C.No.10933/2025 for the offences punishable U/Sec. 80 of the Karnataka Police Act, 1963, in pursuance to the charge sheet, cannot be continued further. Hence, as no offence is made out and the criminal proceedings initiated against the petitioners/accused Nos.1 to 4 are liable to be quashed.

6. In the result, I proceed to pass the following:

ORDER

- i. The petition is ***allowed***.



- ii. The entire proceedings initiated against the petitioners/accused Nos.1 to 4 by the Sub-urban Police Station in Crime No.108/2025 pending before the Principal Civil Judge and JMFC, at Hubballi, registered in C.C.No.10933 /2025 for the offences punishable U/Sec. 80 of the Karnataka Police Act, 1963 are hereby quashed.

Sd/-
(HANCHATE SANJEEVKUMAR)
JUDGE



IN THE HIGH COURT OF KARNATAKA AT DHARWAD

[TULAJAPPA S/O HANUMANTSA MEHARWADE AND OTHERS VS. THE
STATE OF KARNATAKA]

21.04.2026

(VIDEO CONFERENCING / PHYSICAL HEARING)

CORAM: HON'BLE MR JUSTICE HANCHATE SANJEEVKUMAR

ORAL ORDER

Order on 'being spoken to'.

Learned counsel for petitioner has moved this matter 'for being spoken to' on the ground that there is a mistake in Clause (ii) of the operative portion of order dated 27.03.2026 at page No.6, in mentioning the words 'petitioners/accused Nos.1 to 4' instead of 'petitioners/accused Nos.1 to 5.

2. The present petition is filed by petitioners/accused Nos.1 to 5. Therefore, the said mistake is to be rectified by mentioning the words 'petitioners/accused Nos.1 to 5' instead of



'petitioners/accused Nos.1 to 4' in Clause (ii) of the operative portion of order dated 27.03.2026 at page No.6.

3. Pursuant to which, the Clause (ii) of the operative portion of order dated 27.03.2026 at page No.6 shall be read as under:

ii. The entire proceedings initiated against the petitioners/accused Nos.1 to 5 by the Sub-urban Police Station in Crime No.108/2025 pending before the Principal Civil Judge and JMFC, at Hubballi, registered in C.C.No.10933 /2025 for the offences punishable U/Sec. 80 of the Karnataka Police Act, 1963 are hereby quashed.

4. This order shall be read in conjunction with the order dated 27.03.2026.

**Sd/-
(HANCHATE SANJEEVKUMAR)
JUDGE**