



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 24TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE V.SRISHANANDA

CRIMINAL PETITION NO. 104383 OF 2025 (482(CR.PC)/528(BNSS))

BETWEEN:

AKASH S/O. NAMADEV CHOUHAN,
AGE. 29 YEARS, OCC. BUSINESSMAN,
R/O. SHIVAPUTRA NAGAR,
OLD HUBBALLI, TQ. HUBBALLI,
DIST. DHARWAD-580021.

...PETITIONER

(BY SRI. G.M. BHAT, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
BY POLICE SUB-INSPECTOR,
SIRSI NEW MARKET POLICE STATION,
SIRSI, R/BY S.P.P., HIGH COURT OF KARNATAKA,
DHARWAD BENCH, AT DHARWAD-583011.
2. RATNA KURI W/O. SANKAPPA KURI,
AGE. 35 YEARS, OCC. PSI (LAW AND ORDER),
SIRSI NEW MARKET POLICE STATION, SIRSI,
TQ. SIRSI, DIST. UTTARA KANNADA-581401,
REP.BY SPP, HIGH COURT OF KARNATAKA DHARWAD
BENCH.

...RESPONDENTS

(BY SMT. KIRTELATA R. PATIL, HCGP FOR R1;
NOTICE SERVED TO R2)

THIS CRIMINAL PETITION IS FILED U/S 482 OF CR.P.C. (528 OF BNSS), SEEKING TO ALLOW THE CRIMINAL PETITION FILED U/SEC.528 OF BNSS, 2023 AND QUASH PROCEEDINGS IN CRIME NO.109/2025 OF SIRSI NEW MARKET POLICE STATION, SIRSI PENDING ON THE FILE OF THE COURT OF PRL. CIVIL JUDGE (JR.DN) AND JMFC COURT, SIRSI UTTARA KANNADA, FOR AN OFFENCES PUNISHABLE U/S 37 AND 109 OF KARNATAKA POLICE ACT, 1963 AND





SEC.285 OF BHARATIYA NYAYA SANHITA(BNS), 2023, IN SO FAR AS PETITIONER/ACCUSED HEREIN, IN THE INTEREST OF JUSTICE.

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

ORAL ORDER

(PER: THE HON'BLE MR. JUSTICE V.SRISHANANDA)

1. Heard Sri Ganapati M. Bhat, learned counsel for the petitioner, and Smt. Kirtilata R. Patil, learned High Court Government Pleader for respondent No.1.

2. The petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, with following prayer:

"IT IS THEREFORE PRAYED that this Hon'ble High Court be pleased to allow the criminal petition filed u/Sec.528 of BNSS, 2023 and QUASH proceedings in Crime No.109/2025 of Sirsi new Market Police Station, Sirsi pending on the file of the Court of Prl. Civil Judge (Jr.Dn) & JMFC Court, Sirsi, Uttara Kannada for an offences punishable u/Secs.37 and 109 of Karnataka Police Act, 1963 and Sec.285 of Bharatiya Nyaya Sanhita (BNS), 2023, in so far as petitioner/accused herein, in the interest of justice and equity."



3. At the outset, Sri Ganapati M. Bhat, learned counsel for the petitioner, submits that the case on hand is covered by the judgment rendered by this Court in Crl.P.No.104385/2025 dated 12.02.2026.

4. Smt.Kirtilata R. Patil, learned High Court Government Pleader for respondent No.1, does not dispute the reasoning recorded by this Court in the aforesaid criminal petition.

5. On perusal of the material on record in the present case, it is seen that the petitioner is the owner of the THONDER DJ music system.

6. Therefore, the present petition also deserves to be allowed in terms of the reasons recorded by this Court in Crl.P. No.104385/2025.

7. Accordingly, the following:

ORDER

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

ii. The pending proceedings in Crime No.109/2025 of
Sirsi New Market Police Station, Sirsi, now



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pending on the file of the Principal Civil Judge
(Jr.Dn.) and JMFC Court, Sirsi, Uttara Kannada,
are hereby quashed.

Sd/-
(V.SRISHANANDA)
JUDGE

AC
CT-CMU
LIST NO.: 1 SL NO.: 40