



IN THE HIGH COURT OF KARNATAKA AT DHARWAD
DATED THIS THE 3RD DAY OF FEBRUARY, 2026
BEFORE
THE HON'BLE MR. JUSTICE V.SRISHANANDA
CRIMINAL PETITION NO. 104927 OF 2025
(482(CR.PC)/528(BNSS))

BETWEEN:

DR. BHARATESH HIREMATH,
AGED ABOUT 33 YEARS,
WORKING AS MEDICAL OFFICER,
RBSK B TEAM, KUKNOOR,
TALUK. KUKNOOR,
DIST. KOPPAL DISTRICT 583232.

...PETITIONER

(BY SRI. GANESH RAIBAGI, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
THROUGH KUKNOOR POLICE STATION,
REPRESENTED BY STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA, DHARWAD BENCH.
2. SRI MAHANTASWAMI VEERAYYA PUJAR
AGE. 42 YEARS, OCC. GOVT. OFFICIAL GAZETTED,
DISTRICT CHILD PROTECTION OFFICER (DCPO), KOPPAL,
R/O. SORATURU, TQ. GADAG 582120.

...RESPONDENTS

(BY SMT. KIRTELATA R. PATIL, HCGP FOR R1;
SRI M.A. PATHAN AND SRI AL-HUSSAIN SHALIBAN, ADVS.FOR R2)

THIS CRIMINAL PETITION IS FILED UNDER SECTION 528 OF BNSS 2023, PRAYING TO CALL FOR RECORDS IN CRIME NO. 0127/2025 OF KUKNOOR POLICE STATION, KOPPAL DISTRICT AND QUASH THE FIR AND ALL FURTHER PROCEEDINGS IN KUKNOOR P.S. CRIME NO.0127/2025, REGISTERED FOR OFFENSES PUNISHABLE UNDER SECTIONS 64(2)(M), 65(1) OF BNS, SECTIONS 4, 6, 21(2) OF POCSO ACT, AND SECTIONS 33, 34 OF THE JJ ACT, PENDING ON THE FILE OF THE ADDITIONAL DISTRICT AND SESSIONS JUDGE (FTSC-1), KOPPAL, INSOFAR AS THE PETITIONER (ACCUSED NO.5) IS CONCERNED.





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

ORAL ORDER

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

Statement of objections filed by learned counsel for respondent No.2 taken on record.

Heard Sri Ganesh Raibag, learned counsel for petitioner, Smt.Kirtila Ra.Patil, learned High Court Government Pleader for the respondent No.1 and Sri Al. Hussain Shaliban, learned counsel for respondent No.2.

2. Petitioner is a Doctor who visited the Devaraj Aras Metric Girls School for examination of the students in a project called 'Rashtriya Arogya Abhiyana'.

3. While so examining the students, present petitioner had no role to examine the girl students. During examination by other lady doctors of team, one such girl in the said school was a pregnant of about two months when the medical examination took place which was not noticed by the lady doctor. Later on, said girl delivered a child.



4. Therefore, case has been filed by the District Child Protection Officer alleging the commission of the offence of screening the offence committed by main accused thereof under the provisions of POCSO Act.

5. Role assigned by the present petitioner that he was member of the Medical Examination Committee and therefore, he is also indirectly responsible for screening the offence.

6. Having heard the arguments of both sides, it is noticed that petitioner being a male doctor had not examined the alleged victim and he has co-operated with the investigation agency. Investigation agency also noted that petitioner had no role whatsoever in the alleged screening of the offence.

7. Accordingly, continuation of the criminal proceedings against petitioner is nothing but abuse of process of law and hence, a case is made out for quashing the pending proceeding.

8. Accordingly, following order is passed.

ORDER

i. Petition is allowed.



NC: 2026:KHC-D:1485
CRL.P No. 104927 of 2025

- ii. Consequently, pending criminal proceedings in Crime No.127/2025 on the file of Addl. District and Sessions Judge (FTSC-1), Koppal insofar as petitioner-accused No.5 stand quashed.

Sd/-
(V.SRISHANANDA)
JUDGE

CLK
CT:CMU
LIST NO.: 1 SL NO.: 31