



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 24TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE S.VISHWAJITH SHETTY

WRIT PETITION NO. 201297 OF 2026 (GM-RES)

BETWEEN:

ATI SONAM KAUR
W/O CHARAN PREETSINGH SINGH KLAIR
AGE: 45 YEARS, OCC: BUSINESS
R/O VASAWADATTA CEMENT COLONY
SEDAM TQ. SEDAM DIST. KALABURAGI - 585222
NOW RESIDING AT 6-3-248/E,
MAHESHWARI TOWERS, BANJARA HILLS
HYDERABAD.

...PETITIONER

(BY MISS VAISHNAVI MANGANE, ADVOCATE FOR
SRI AVINASH A. UPLAONKAR, ADVOCATE)

AND:

DEPUTY COMMISSIONER OF EXCISE
KALABURAGI
DIST. KALABURAGI - 585101

...RESPONDENT

(BY SRI MALLIKARJUN SAHUKAR, AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO
ISSUE ANY OTHER WRIT OF MANDAMUS OR DIRECTION
CONSIDER THE REPRESENTATION DATED 09-12-2025 AS PER



ANNEXURE-C AND DIRECT TO RELEASE THE BANK GUARANTEE.

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

CORAM: HON'BLE MR. JUSTICE S.VISHWAJITH SHETTY

ORAL ORDER

This Writ Petition under Articles 226 and 227 of the Constitution of India is filed seeking a writ of mandamus directing the respondent to consider the representation of the petitioner at Annexure-C dated 09.12.2025 and direct the respondent to release the bank guarantee.

2. Heard the learned counsel for the petitioner and the learned Additional Government Advocate on behalf of respondent.

3. Petitioner's vehicle bearing Reg.No.KA-32/C-7418 was seized in Crime No.181/2016-17 registered by the jurisdictional excise police for the offence punishable under the Karnataka Excise Act, 1965. It appears that petitioner had filed an application for release of the aforesaid vehicle to his interim custody and the



respondent had passed an order directing release of the vehicle subject to the condition that the petitioner furnishes a bank guarantee for a sum of Rs.32,00,000/- and also executes an indemnity bond. In compliance of the aforesaid order the petitioner allegedly has furnished a bank guarantee on 04.04.2017 and the vehicle in question was released to his custody. It appears that subsequently, the Deputy Commissioner has confiscated the vehicle in question by order dated 05.06.2025 and the said order was successfully challenged by the petitioner before the jurisdictional Court of Sessions Judge in Crl.A.No.48/2025 which was allowed on 31.10.2025. Subsequently, the petitioner appears to have given a representation before the Deputy Commissioner on 09.12.2025 vide Annexure-C with a prayer to return the bank guarantee furnished by him. Grievance of the petitioner is that the said representation is not considered by the respondent till date.



4. Learned Additional Government Advocate submits that if the representation at Annexure-C dated 09.12.2025 is not yet considered, if some reasonable time is granted the same shall be considered in accordance with law and appropriate orders will be passed.

5. Said submission is placed on record.

6. Accordingly, the following:

ORDER

- i) The writ petition is ***partly allowed***.
- ii) A writ of mandamus is issued to the respondent to consider the representation of the petitioner at Annexure-C dated 09.12.2025 and pass appropriate orders on the same in accordance with law as expeditiously as possible but not later than a period of two months from the date of receipt of copy of this order.



NC: 2026:KHC-K:2610
WP No. 201297 of 2026

iii) Petitioner is at liberty to file a fresh representation along with copy of this order before the respondent.

Sd/-
(S.VISHWAJITH SHETTY)
JUDGE

SWK,SN
List No.: 1 Sl No.: 15