



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

CRIMINAL PETITION NO. 200924 OF 2025

(482(Cr.PC)/528(BNSS))

BETWEEN:

MACHENDRA S/O DHULAPPA JAMADAR,
AGED ABOUT 43 YEARS,
OCC: AGRICULTURE AND BUSINESS
R/O KASHAMPUR (C) VILLAGE,
TQ AND DIST. BIDAR-585226.

...PETITIONER

(BY SRI. RAVI B PATIL.,ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
THROUGH CHITAGUPPA PS
REP BY ITS ADDL. STATE PUBLIC PROSECUTOR
ADVOCATE GENERALS OFFICE
HIGH COURT BUILDING, KALABURAGI-585103.

2. FOOD INSPECTOR
HUMNABAD. TQ. HUMNABAD, DIST. BIDAR

...RESPONDENTS

(BY SRI. MALLIKARJUN SAHUKAR, AGA)

THIS CRIMINAL PETITION IS FILED U/S 528 OF BNSS (NEW), U/S.482 OF CR.P.C.(OLD), PRAYING TO, 1) ALLOW THE PRESENT PETITION AND QUASH THE FIR AND CHARGE SHEET IN CRIME NO. 52/2023 DATED 16-04-2023 AND ALSO ORDER



OF TAKING COGNIZANCE DATED 27-07-2024 CULMINATING IN CC NO. 3388/2024 FOR OFFENCES U/S 3 AND 7 OF EC ACT, 1955 AND SEC. 18 OF PDS CONTROLLING ORDER 1992 BEING REGISTERED BY THE RESPONDENT NO.1 JURISDICTIONAL POLICE, PENDING ON THE FILE OF THE COURT OF ADDL. CIVIL JUDGE AND JMFC AT HUMNABAD, DIST BIDAR, AS ILLEGAL AND WITHOUT ANY AUTHORITY, 2) GRANT SUCH OTHER ORDER/S AS THIS HONOURABLE COURT MIGHT DEEM FIT IN THE CIRCUMSTANCES OF THE CASE,

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

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

ORAL ORDER

Heard learned counsel for the petitioner and learned Additional Government Advocate, who is directed to take notice on behalf of respondent Nos.1 and 2.

2. Accused No.1 is before this Court, in this petition filed under Section 528 of BNSS 2023 r/w Section 482 of Cr.P.C., with a prayer to quash the entire proceedings in CC No.3388/2024 pending before the Court of Additional Civil Judge and JMFC Court, at Humnabad, arising out of Crime No.52/2023 registered by Chitaguppa Police Station, Dist. Bidar for offences punishable under



Sections 3 and 7 of the Essential Commodities Act, 1955 and Rule Section 18 of PDS Controlling Order, 1992.

3. Learned counsel for the petitioner submits that the impugned criminal proceedings has been already quashed by this Court as against accused Nos.2 to 4 in Criminal Petition No.201525/2024 disposed off on 24.02.2025. The reasoning assigned by this Court in Criminal petition No.201525/2024 disposed off on 24.02.2025, squarely applies to the petitioner herein also. Accordingly, he prays to allow the petition.

4. *Per contra*, learned Additional Government Advocate does not dispute the submission made by the learned counsel for the petitioner.

5. The impugned criminal case was registered against accused Nos.1 to 4 on the ground that the rice was allegedly being transported in the vehicle belonging to them without requisite documents. Accused Nos.2 to 4 had produced all the relevant documents before this Court in



Criminal petition No.201525/2024 and learned HCGP, after verification of the said documents, had made a submission that the documents produced are valid and legal documents for the purpose of transporting the rice in the vehicle bearing registration No.GJ-10/TV-5792. It is under these circumstances the impugned criminal proceedings was quashed as against accused Nos.2 to 4 in the said criminal petition.

6. The reasoning assigned in the said petition for quashing the impugned proceedings is squarely applicable even to the petitioner herein, as against to whom the allegations are similar.

7. Accordingly, the following:

ORDER

- i. Criminal Petition is ***allowed***.
- ii. Impugned criminal proceedings in CC No.3388/2024 pending before the Court of Additional Civil Judge and JMFC Court, at



Humnabad, arising out of Crime No.52/2023 registered by Chitaguppa Police Station, Dist. Bidar for offences punishable under Sections 3 and 7 of the Essential Commodities Act, 1955 and under Section 18 of PDS Controlling Order, 1992 are quashed as against the petitioner herein.

- iii. IA No.1/2025 would not survive for consideration, accordingly stands disposed of.

Sd/-
(S.VISHWAJITH SHETTY)
JUDGE

NJ
List No.: 1 Sl No.: 38