



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 4TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

WRIT PETITION NO.201208 OF 2025 (GM-POLICE)

C/W

WRIT PETITION NO.201205 OF 2025 (GM-POLICE)

IN WP No.201208/2025:

BETWEEN:

FAQI GOLA S/O ZAMEER AHMED GOLA,
AGE: 35 YEARS, OCC: BUSINESS,
R/O SPL. PLOT NO.6,
JEWARGI ROAD, KALABURAGI.

...PETITIONER

(BY SRI SHIVAKUMAR MALIPATIL, ADVOCATE)

AND:

1. THE COMMISSIONER OF POLICE,
KALABURAGI-585102.
2. THE DEPUTY SUPERINTENDENT OF POLICE,
A-SUB DIVISION, KALABURAGI-585101.
3. THE POLICE INSPECTOR,
STATION BAZAR POLICE STATION,
KALABURAGI-585102.

...RESPONDENTS

(BY SRI VIRANAGOUDA M. BIRADAR, AGA)

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by RENUKA
Location: HIGH
COURT OF
KARNATAKA



THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO I) ISSUE WRIT OR ORDER OF CERTIORARI BY QUASHING THE IMPUGNED ORDER DATED 27.12.2016 IN ORDER BEARING NO.25/ROWDYSHEET/GSD/A/2016 DT.27.12.2016, PASSED BY THE RESPONDENT NO.2 AS PER ANNEXURE-A, IN THE INTEREST OF JUSTICE AND EQUITY. II) PASS SUCH OTHER ORDERS AS THIS HONOURABLE COURT DEEMS FIT IN THE CIRCUMSTANCES OF THE CASE, IN THE INTEREST OF JUSTICE AND EQUITY.

IN WP NO.201205/2025:

BETWEEN:

ABDUL RAHEEM S/O ABDUL SALEEM,
AGE: 36 YEARS, OCC: BUSINESS,
R/O OPP: CITY SCHOOL, ZAM ZAM COLONY,
KALABURAGI.

...PETITIONER

(BY SRI SHIVAKUMAR MALIPATIL, ADVOCATE)

AND:

1. THE COMMISSIONER OF POLICE,
KALABURAGI-585102.
2. THE SUPERINTENDENT OF POLICE,
A-SUB DIVISION, KALABURAGI-585101.
3. THE POLICE INSPECTOR,
STATION BAZAR POLICE STATION,
KALABURAGI-585102.

...RESPONDENTS

(BY SRI VIRANAGOUDA M. BIRADAR, AGA)



THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO I) ISSUE WRIT OR ORDER OF CERTIORARI BY QUASH THE IMPUGNED ORDER DATED 27-12-2016 IN ORDER BEARING NO.24/ROWDYSHEET/GSD/A/2016 DATED 27.12.2016, PASSED BY THE RESPONDENT NO.2 AS PER ANNEXURE A, IN INTEREST OF JUSTICE AND EQUITY. II) PASS SUCH OTHER ORDERS AS THIS HONOURABLE COURT DEEMS FIT IN THE CIRCUMSTANCES OF THE CASE, IN INTEREST OF JUSTICE AND EQUITY.

THESE PETITIONS, COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

ORAL ORDER

These petitions are filed by the petitioners seeking to quash the orders dated 27.12.2016 bearing Nos.25/Rowdysheet/GSD/A/2016 and 24/Rowdysheet/GSD/A/2016, passed by respondent No.2 vide Annexure-A.



2. It is the case of the petitioners that they are the businessmen residing at Kalaburagi. Respondent No.3 written a letter to respondent No.2 enumerating the details of the case registered against the petitioners. Pursuant to that, respondent No.2 reiterating the contents of the letter stating that the petitioners with their supporters are intimidating, threatening and sending wrong messages to the public and acting in groups and disturbing law and order in the villages. Hence, a case is registered against the petitioners in Station Bazar Police Station in Crime No.269/2016 for the offences punishable under Sections 143, 147, 323, 324, 341, 504, 506 and 302 read with Section 149 of IPC.

3. Based on the registration of the crime and filing of the charge sheet, respondent No.3/Inspector of Police recommended to open a rowdy sheet against the petitioners herein. Based on which, respondent No.2 has passed the orders, including the names of the petitioners, by opening rowdy sheets against them in the register



dated 27.12.2016, as the petitioners were involved in Crime No.269/2016.

4. It is contended by the counsel for the petitioners that the petitioners have been acquitted in Sessions Case No.88/2017 arising out of Crime No.269/2016 way back on 27.01.2018. Despite which, the petitioners' names are included in the rowdy sheets and they are summoned to the police station time and again without any reason whatsoever, illegally and contrary to the provisions of Order Nos.1058 and 1059 of the Karnataka Police Manual. It is also contended that no show cause notice is issued and merely on the basis of an earlier crime number, the names of the petitioners are included in the rowdy sheets. Therefore, the petitioners made respective representations to respondent No.1 on 05.03.2025 for reviewing the impugned orders and to delete their names from the rowdy sheets, as they have been acquitted in the case, based on which, their names



were included in the rowdy sheets. The same has not been considered by respondent No.1.

5. It is contended that when the petitioners made applications or representations, the respondent authorities ought to have accepted the representations and provided an opportunity to the petitioners to put forth their case of there being no allegation of criminal cases pending against them and that inclusion of their names and continuing their names in the Rowdy Sheet Registers is violative of the principles of natural justice including their personal liberty.

6. It is also contended that in spite of the petitioners being acquitted in the case that was filed against them and despite the representations being made, the petitioners' names are not struck off from the registers of rowdies, thereby causing untold hardship and violation of their fundamental right of free movement and their liberty.



7. It is also contended by the learned counsel that respondents have not followed the necessary guidelines laid down by this Court in the case of ***Sri B. S. Prakash v. State of Karnataka and others*** reported in **2022 (4) KCCR 3648**. Therefore, he contends that implicating the petitioners and registering their names in the rowdy sheets is illegal and violative of principles of natural justice. Hence, the names of the petitioners require to be removed and consequently the said orders be quashed. Hence, the petitioners are perforced to approach this Court, invoking the writ jurisdiction.

8. *Per contra*, learned Additional Government Advocate representing respondent-State admits the acquittal of the petitioners in the aforesaid criminal case and on verification and after taking instructions, submits that the petitioners' names are still continuing in the rowdy sheets, but the names of the petitioners were included in the Rowdy Sheet Registers prior to acquittal and also question of following the guidelines laid down by



the Co-ordinate Bench of this Court in the case of ***Sri B. S. Prakash*** (supra) would not arise for the reason that inclusion of the names of the petitioners in the Rowdy Sheet Registers is prior to the said judgment. Hence, the same will not enure to their benefit. Accordingly, he seeks to dismiss the petitions.

9. I have heard learned counsel for the petitioners and learned Additional Government Advocate for the State

10. It is a fundamental rule of law that when a person is implicated as a rowdy sheeter by including his name in the list of rowdy sheet, the onus is upon the State to follow the due procedure contemplated under the relevant rules and regulations. In the present case, the Karnataka Police Manual, more specifically, the Register of Rowdies maintained in order No.1059, which deals with history sheets and rowdy sheets and enrollment or registration of persons in the said sheet for register for continuous monitoring by the police authorities, is not followed. Standing Order No.1059 deals with registration



of rowdies. The definition provided is that a rowdy may be defined as a gunda and includes a hooligan, tough, vagabond or any person who is dangerous to public peace and tranquility. There are many forms of rowdism, which are described therein and the process and procedure contemplated to be maintained in different parts, namely Part A, Part B and Part C, which govern the maintenance of a register and the names of the rowdies in their respective parts. It is the duty and obligation cast upon the respondents, which is not optional to follow the due procedure contemplated under the standing orders of the Karnataka Police Manual, while entering the name of a person in the rowdy sheet and there are certain procedures to be mandatorily followed before entering the names. As contended by learned counsel for the petitioners, the process and procedure as contemplated under the standing Order No.1059 of the Karnataka Police Manual has not been followed and no opportunity was given to the petitioners to file their reply or explanation for



removing their names in the Rowdy Sheet Registers and merely, because they were involved in criminal case, in which also the petitioners have been acquitted in the year 2018. It is also contended that though the petitioners have made representations to the respondent authorities after the acquittal on 05.03.2025, the representations have not been considered and even after the acquittal, they have been summoned to the jurisdictional police station for unnecessary interrogation, when there is no case pending against them.

11. It would be relevant to extract paragraph No.17 of the judgment of Division Bench of this Court in the case of ***K. M. Muniswamy Reddy v. State of Karnataka*** reported in ***ILR 1992 KAR 2543***, wherein the Division Bench dealt with similar subject matter, which reads as under:

"17. There can be no doubt that if any of the Fundamental Right is to be affected by the State action, it has to be authorised by law, in the sense of a law enacted by the Legislature or to be authorised



by a subordinate/delegated legislation, like Rules and Regulations. However, if no Fundamental Right is adversely affected by the enforcement of Order No.1059, State is entitled to act upon it, even in case, the said order has no statutory source. On facts, we found that, a reading of Order No.1059 nowhere suggests vesting of an intruding power in the Police Department. enabling the latter to invade any of the Fundamental Rights of the rowdy-sheeted person. The maintenance of rowdy sheet in respect of a suspected person having tendency to commit criminal offence or disturb public peace, is to enable the police to speedy action in cases of breach of public peace; it provides the information of the persons to be watched by the law enforcing agency of the State and nothing more."

12. Standing Order No.1059 of Karnataka Police

Manual, 1998 is extracted below:

"1059. (1) A rowdy may be defined as a goonda and includes a hooligan, rough, vagabond or any person who is dangerous to the Public peace and tranquility.

(2) The main forms of rowdyism are:-

- a) Passing indecent remarks at women and School and College Girls;*
- b) Intimidation of Law abiding people by acts of violence or by show of force or by abusive language;*
- c) Forcible collection of subscription;*



d) Taking sides in petty quarrels between landlords and tenants or between co-tenants and threatening people of the opposite party;

e) Disorderly conduct;

f) Rioting; and

g) Snatching and committing robbery

(3) In every Police Station, a 'Register of Rowdies' should be maintained in Form No.100 in three parts viz., Part A, Part B and Part C which should be in separate Volumes. All the volumes are to be treated as confidential records.

(4) (a) Names and particulars of 'Confirmed Rowdies' who are residents in the Police Station concerned should be entered in the Register Part A, a few pages being allotted for each person.

(b) Names and particulars of 'Confirmed Rowdies' who are not residents in the Police Station limits but operate within its jurisdiction and names of 'Homeless Confirmed Rowdies' should be entered in Part B, a few pages being allotted for every person.

(c) Names and particulars of "Novices" who are budding goondas should be entered in Part C. They may be either residents or non-residents of the Police Station concerned.

(5) Prior Orders of the Superintendent of Police or the Sub-Divisional Police Officer should be obtained for entering the name of every rowdy in the Register of Rowdies

(6) Names of persons against whom there are ample instances of rowdyism should be entered in the Register Part A or Part B after the records are checked by the Inspector.



(7) When there are one or more instances of rowdyism against any person or if he has a very bad reputation in the locality as a bully, his name entered in Part 'C' on the ground of very bad reputation, a through enquiry should be made by the Officer in charge of the Police Station before the entry is made.

(8) in the running history, all the Criminal activities of the rowdy including reasonable suspicion of his complicity in cases and/or complaints against him with case numbers, if any, and results of cases, etc., should be mentioned in separate paragraphs which should be numbered chronologically. Against each entry in the running history, there should be reference to Station House Diary entries, case diaries, source reports, mass petitions, petty cases, etc., as the case may be.

(9) Officers incharge of Police Stations should, in the course of their daily scrutiny of the entries in the Station House Diary and the petty cases Register, satisfy themselves that relevant notes therefrom have been made and embodied in the 'Rowdy Register' against the rowdies concerned. Before despatching the copy of the Station House Diary to the Circle Inspector/SDPO, a note of having embodied the information in the rowdy register against the relevant entries, should be made.

(10) Supervisory officers, during their inspections of Police Stations, should satisfy themselves that the entries have been properly made.

(11) When the activities of a non-resident rowdy comes to notice, the Officer in charge of the Police Station concerned should not only make necessary entries in Part 'B' of the Rowdy Register but also promptly transmit information to the Officer in charge of the Police Station in the limits of which the rowdy resides, to enable the latter to make



necessary entries in Part 'A' of the Rowdy Register of his Police Station.

(12) When the Part 'C' rowdies indulge frequently in rowdy and anti-social acts, their names should be transferred from Part 'C' or 'B', as the case may be, of the Rowdy Register. When there is no entry against a Part 'C' rowdy during the period of one year from the date of entry of his name in the Register, his name may be struck off from the Register by the Officer in charge of the Police Station concerned in consultation with the Circle Inspector.

(13) No name should be struck off from Part 'A' or Part 'B' of the Rowdy Register without the order in writing of the Superintendent of Police. In such cases, the Inspectors should send their recommendations to Superintendent of Police through the Sub-Divisional Police Officers.

(14) The Inspectors should maintain in their offices, the entire lists of the names of rowdies with their addresses which are on record in the Rowdy Register of the Police Station under their charge. The lists should be maintained Police Station-wise and maintained separately for each type of rowdies. The Inspectors should once in a quarter, check up their own lists with the Rowdy Registers of the Police Stations under them.

(15) Under the existing laws, a rowdy can be dealt with in the following ways:

- (i) Prosecution in specific cases, like robbery, rioting, grievous hurt, etc.,*
- (ii) Prosecution in appropriate cases for obscene acts and songs under Section 294 L.P.C. (This is a cognizable offence);*
- (iii) Prosecution for riotous and indecent behaviour, drunkenness, etc., under Sections 92 (o), (p), (q) and (r) of the Karnataka Police*



Act 1963, in the areas to which the provisions of that Section have been extended:

(iv) Action under Section 108 (b) of the code of Criminal Procedure;

(v) Action under Section 107 Cr. P.C.

(vi) Action under Section 110 Cr. P.C.

(vii) Action under the preventive detention laws;

viii) Externment proceedings under Section 55 and 56 of the Karnataka Police Act, 1963; and

(ix) Action under Section 509 I.P.C. for eve-teasing:

(16) Every information that any particular Tea Stall, Restaurant, Eating House or Bar is the resort of rowdies and other types of anti-social elements, when received should promptly be verified and if found correct, the office-in-charge of the Police Station should suitably warn the proprietor/keeper of the Tea-Stall, Restaurant, etc..

(17) With a view to facilitating identification of the rowdies by face, the Officer in charge of the Police Station should, during the roll call, show to the Station Staff recent photographs of the rowdies. He should instruct them to watch their movements and collect information about their activities.

(18) List of persons bound down under Section 106 or under Section 117 of the code of criminal procedure should be maintained in the Police Station with the names and address of the sureties in the following columns:-

1) Sl. No.

2) Name and address of the complainant



3) *Gist of the complaint with date and place of occurrence.*

4) *Names and addresses of persons with aliases bound down.*

5) *Period for which bound down.*

6) *Order of the Magistrate with date.*

7) *Names and address of the sureties.*

8) *Remarks.*

(19) If during the period a person is bound over, there are complaints against him, an immediate enquiry should be made and if the complaints are found to be true, the court should be moved for taking action against the person and the sureties."

13. The Co-ordinate Bench of this Court in the case of **Sri B.S.Prakash** (supra) has laid down guidelines, which are to be followed while registering the name of a person in the Rowdy Sheet Register, which even prior to the said judgment was a mandate for the respondents to have followed strictly in accordance to the standing order No.1059 of the Karnataka Police Manual, which in my opinion, considering the facts and circumstance of the present cases, has not been followed and even after the acquittal of the petitioners, and even after the



representations given by the petitioners for removing their names from the Rowdy Sheet Registers, there is no response or reply or action by the respondents in removing their names.

14. In view of non-compliance of the procedure contemplated under standing order No.1059 of the Karnataka Police Manual and non-consideration of the representations given by the petitioners pursuant to their acquittal, this Court is of the opinion that the petitioners have made out a valid case to consider favourably.

15. Accordingly, I pass the following:

ORDER

- i. The Writ Petitions are ***allowed***.
- ii. The impugned orders dated 27.12.2016 regarding opening Rowdy Sheet Registers in the names of the petitioners bearing No.25/Rowdysheet/GSD/A/2016 and 24/Rowdysheet/GSD/A/2016 passed by respondent No.2 are hereby quashed.



- iii. The respondents are hereby directed to remove the names of the petitioners from the Rowdy Sheet Registers maintained by them, within a period of four weeks from the date of receipt of certified copy of the order.
- iv. Liberty, however, is reserved to the respondent/State to proceed in accordance with law against the petitioners, if at all any case is made out and while doing so, they shall strictly follow the guidelines laid down by this Court in the case of ***Sri B. S. Prakash v. State of Karnataka and others*** reported in ***2022 (4) KCCR 3648***.

Sd/-
(PRADEEP SINGH YERUR)
JUDGE

RSP
List No.: 4 Sl No.: 13
CT:MH