HC-KAR

IN THE HIGH COURT OF KARNATAKA,

KALABURAGI BENCH

DATED THIS THE 20TH DAY OF JUNE, 2025

BEFORE

THE HON'BLE MR. JUSTICE MOHAMMAD NAWAZ

CRIMINAL PETITION NO. 200629 OF 2025
(482(Cr.PC)/528(BNSS)

BETWEEN:

KARANAPPA
S/O NAGAPPA PANNUR
AGE 53 YEARS,
OCC:FISHERY BUSINESS AND AGRICULTURE,
R/O ANDOLA TQ:JEWARGI,
DIST: KALABURAGI -585303.

…PETITIONER

(BY SRI CHAITANYAKUMAR CHANDRIKI, ADVOCATE)

AND:

Digitally signed by KHAJAAMEEN MALAGHAN
Location: HIGH COURT OF KARNATAKA

1. THE STATE OF KARNATAKA
   THROUGH JEWARGI P.S
   REPRESENTED BY ADDL. SPP
   HIGH COURT OF KARNATAKA,
   KALABURAGI BENCH-585107.

2. THE STATE THROUGH
   RIYAZ S/O AFSAR MIYA
   GOVERNMENT OFFICIAL
   O/O DEPUTY DIRECTOR
   MINES AND GEOLOGY,
   ROOM NO.27, MINI VIDHAN SOUDHA,
   3RD FLOOR, KALABURAGI-585102.

…RESPONDENTS

(BY SRI G B YADAV, HCGP)

THIS CRL.P IS FILED UNDER SECTION 482 OF CR.P.C. (OLD), U/SEC. 528 OF BNSS (NEW), PRAYING TO QUASH THE PRIVATE COMPLAINT REGISTERED AGAINST PETITIONER BY 2ND RESPONDENT, IN THE CIVIL JUDGE AND JMFC COURT AT JEWARGI IN P.C.NO.2/2022 (CC NO. 133/2022) FOR THE OFFENCE PUNISHABLE UNDER SECTION 4(1), 4(1)(A), 21 OF MMRD ACT, 1957 RULE 3 (1), 42, 43 OF KMMCR RULES 1994.

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

CORAM: HON'BLE MR. JUSTICE MOHAMMAD NAWAZ

ORAL ORDER

This petition under Section 482 of Cr.P.C. is preferred to quash the private complaint registered against the petitioner, which is pending before the Court of Civil Judge and JMFC, at Jewargi in P.C.No.2/2022.

2. Private complaint is filed by the second respondent alleging violation of Section 4 (1), 4(1) (A) and 21 of the Mines and Minerals Development and Regulation Act, 1957, Rule 3(1), 42, 43 of the Karnataka Minor Mineral Concession Rules, 1994.

3. The very same petitioner had approached this Court in Criminal Petition No.200975/2022 seeking similar

prayer, to quash the impugned criminal proceedings in P.C.No.2/2022 pending in C.C.No.133/2022 on the file of the Court of Civil Judge and JMFC at Jewargi.

4. This Court having considered the case on merits, dismissed the said petition, keeping it open for the petitioner to urge all contentions before the Trial Court at the appropriate stage.

5. Considering the prayer of the petitioner once again does not arise, as it will amount to reviving the earlier order passed by this Court, which is not permissible.

Petition is accordingly ***dismissed***.

Sd/-
(MOHAMMAD NAWAZ)
JUDGE

SWK
List No.: 1 Sl No.: 1
CT:JLR