

10.01.2022

The complainant has filed this private complaint under section 200 of Code of Criminal Procedure for the offence punishable under section 21 and 23, R/w.4(1) and 4(1A) of Mines and Minerals Development and Regulations Act, 1957.

Complainant is a Public Servant and he has filed the Private Complaint by discharging his official duty. Hence, recording of sworn statement of complainant is dispensed.

Perused the complaint, wherein it is alleged that M/s Shri Minerals being the Partnership Company, situated at No.10, Ashokanagar, Havambhavi Bellery, represented by B.V.Sreenivasa Reddy and other accused persons, have sold 1069 M.T iron ore powder without obtaining permission from DMG and without paying the royalty and other charges to the State Government. It is alleged that due to the Illegal Acts of the accused company, loss of Rs.23,89,650/- to the Karnataka State Exchequer is caused and thereby the accused has committed the offence punishable under section 21 and 23, R/w.4(1) and 4(1)(A) of Mines and Minerals Development and Regulations Act, 1957. Thereby, the charge sheet is filed against the accused.

The I.O has also filed the charge sheet along with documents before this court in respect of the Crime

No.22/2015 for the offence punishable under section 379, 409, 420, R/w. section 120(B) of IPC, which is in connection to this Private Complaint. The complainant has prayed to take those documents into consideration while dealing with this Private Complaint since they are relying upon the very same documents. I have perused the documents so produced by the I.O/ Complainant. Prima-Facie case is made out against the accused from the materials placed before me, to take cognizance of the offence punishable under section 21 and 23, R/w.4(1) and 4(1A) of Mines and Minerals Development and Regulations Act, 1957.

Hence, cognizance of the offence punishable under section 21 and 23, R/w.4(1) and 4(1A) of Mines and Minerals Development and Regulations Act, 1957, is taken. Hence, the following:

**ORDER**

Office to register a Criminal Case against the Accused for the offence punishable under section 21 and 23, R/w.4(1) and 4(1A) of Mines and Minerals Development and Regulations Act, 1957 and issue summons to the Accused.

Returnable by: 14-02-2022.

(PREETH. J)  
XLII Addl. CMM

(Spl. Court for trial of cases filed against sitting as well as former MPs/MLAs, triable by the Magistrate in the State of Karnataka)

# Bar and Bench

INDIAN LEGAL NEWS