



CNR: KAHC010567772026

WP NO. 25680/2026 (GM - RES - 482)

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

[SRI MOHAN GOWDA VS. STATE OF KARNATAKA AND
ANOTHER]

28.08.2026

(VIDEO CONFERENCING)

CORAM: HON'BLE MR. JUSTICE M.NAGAPRASANNA

ORAL ORDER

Heard the learned counsel Sri.Girish Bharadwaj appearing for the petitioner.

The petitioner is before the Court calling in question the registration of a crime in Crime No.573/2026 for offences punishable under Sections 217 and 353(2) of the BNS, 2023.

The crux lies in a representation by an organization called Hindu Rashtra Samanvaya Samithi. The representation was to the jurisdictional Whitefield Police Station. The representation was that one Kunal Kamra was wanting to hold his comedy show at Uru, Whitefield. On the representation of the petitioner, it transpires that the show gets cancelled. The petitioner on his facebook post holds that the show is cancelled and it is a victory for Hindu unity. This becomes the fulcrum of the allegation, not by anybody but on *suo motu* by the Whitefield Police Station.

The police constable of the Whitefield Police Station gets concerned about the imaginary disharmony overnight and alleges such disharmony to be because of the post of the petitioner calling it a victory for Hindu unity.



CNR: KAHC010567772026

After the cancellation of the show, it transpires that the message comes to the petitioner, which the petitioner is said to have posted on his facebook page. This becomes a notice under Section 173(2) against the petitioner issued on 04.08.2025. The petitioner was at that point in time at Udupi, at 02.00 a.m., the police constable attached to the Whitefield Police Station is said to have travelled to Udupi to take the petitioner into custody and bring him to the Whitefield Police Station and make him sit in the police station for the offence under Sections 273 and 353 of the BNS. The notice under Section 35(3) of the BNSS is said to have been handed over to the petitioner a little distance away from the Whitefield Police Station, after securing him and taking him into custody.

Therefore, the Whitefield Police Station appears to have been violating the law time and again as this Court has repeatedly coming across this violation of law from this Police Station.

The notice under Section 35(3) of the BNSS issued on 05/06.08.2026 is indicative of the fact that the petitioner should appear before the police in the next three days, but he is already in the custody of the police. A notice indicating the later date of appearance, appears to have been used to take the petitioner into custody 3 days prior to the fixed date itself. This has been the *modus operandi* of the policeman who man the White Field Police Station. Therefore, the Deputy Commissioner of Police, the Assistant Commissioner of Police



CNR: KAHC010567772026

and the Police Sub-Inspector who had indulged in this act, shall be present before the Court on **29.08.2026 at 02.30 p.m.**

In the event, the Deputy Commissioner of Police and the Assistant Commissioner of Police would not be present, this Court would be constrained to summon the Commissioner of Police of the City of Bengaluru to set the house in order.

Learned HCGP waives notice to the respondents.

List on **29.08.2026 at 2.30 p.m.**

**Sd/-
(M.NAGAPRASANNA)
JUDGE**