HC-KAR

NC: 2026:KHC-K:4790
WP No. 202507 of 2026

IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 1ST DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR

WRIT PETITION NO. 202507 OF 2026 (GM-POLICE)

BETWEEN:

GAJANAN
S/O ARUNKUMAR DESHPANDE,
AGE 37 YEARS,
OCC. REAL ESTATE,
R/O KARUNESHWAR NAGAR,
NEAR RAM MANDIR,
KALABURAGI-585 102.

…PETITIONER

(BY SRI. RAVI BHEEMSINGH CHAWAN, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
   THROUGH ITS PRINCIPAL SECRETARY,
   DEPARTMENT OF HOME,
   VIDHANA SOUDHA,
   BENGALURU – 560 001.

2. THE COMMISSIONER OF POLICE,
   KALABURAGI CITY-585 105.

3. THE DEPUTY COMMISSIONER OF POLICE
   (LAW AND ORDER) SPECIAL EXECUTIVE MAGISTRATE,
   KALABURAGI CITY-585 105.

4. THE ASSISTANT COMMISSIONER OF POLICE,
   KALABURAGI CITY-585 105.

Digitally signed by NIJAMUDDIN JAMKHANDI
Location: HIGH COURT OF KARNATAKA

5. THE STATION HOUSE OFFICER
FARTABAD POLICE STATION,
KALABURAGI DISTRICT-585 308.

…RESPONDENTS

(BY SRI. SHVAKUMAR R. TENGLI, AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 OF THE CONSTITUTION OF INDIA, PRAYING TO A ISSUE A WRIT OF CERTIORARI OR QUASHING IMPUGNED NOTICE BEARING NO. DATED 18.06.2026 AND 26.06.2026 VIDE ANNEXURE-A AND A1 ISSUED BY THE RESPONDENT NO.3 AS BEING ARBITRARY ILLEGAL AND VIOLATIVE OF ARTICLES 14 AND 21 OF THE CONSTITUTION OF INDIA.

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

CORAM: HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR

ORAL ORDER

In this petition, the petitioner seeks the following reliefs:

> *"a) issue a writ of Certiorari or quashing impugned Notice bearing No. ಸಂ: 12/ಗಡಿಪಾರು/ಎಮ್.ಎ.ಜಿ.2/ಕನ/2026 dated 18.06.2026 and 26.06.2026 vide Annexure-A & A1 issued by the Respondent No.3, as being arbitrary, illegal and violative of Articles 14 and 21 of the Constitution of India;*

b) consequently, direct the Respondent No.4 to hold the Externment / Gadiparu from Kalaburagi district to any other district; and

c) pass such other or further order(s) as this Hon'ble Court may deem fit, just, and proper in the interest of justice and equity."

2. Heard learned counsel for the petitioner and learned AGA for the respondents and perused the material on record.

3. A perusal of the material on record will indicate that the petitioner is aggrieved by the externment notice at Annexure-A dated 18.06.2026 and Annexure-A1 dated 26.06.2026 calling upon the petitioner to appear before respondent No.4 on 02.07.2026.

4. Learned counsel for the petitioner submits that the petitioner would appear before respondent No.4 on 02.07.2026 and necessary directions may be issued to respondent No.4 to grant a week's time to the petitioner to submit objections to the impugned notices. Thereafter,

the respondent No.4 may proceed further and pass appropriate orders/take appropriate decision, in accordance with law, in terms of the principles laid down by the Apex Court in the case of ***Deepak vs. State of Maharashtra – 2022 SCC OnLine SC 99,*** which has been followed by this Court in the cases of ***Giddappa Vs. Lambu Giddappa Vs. State of Karnataka and others - W.P.No.8182/2023 dated 21.04.2023***, ***Shakeeb @ Mohammed Shakeebullah vs. State of Karnataka & others – W.P.No.14426/2023 dated 28.11.2023*** and ***Sri. Wahid @ Chumati Vs. State of Karnataka and others – W.P.No.202180/2026 dated 11.06.2026.***

5. Per contra, learned AGA submits that if the petitioner appears before respondent No.4 on 02.07.2026 and files objections within a period of one week on 02.07.2026, respondent No.4 shall provide sufficient and reasonable opportunity to the petitioner and hear him and would pass appropriate orders, in accordance with law.

6. In view of the aforesaid facts and circumstances, I deem it just and appropriate to dispose of this petition directing the petitioner to appear before respondent No.4 on 02.07.2026. Upon the petitioner appearing before 02.07.2026, respondent No.4 shall grant a period of one week for the petitioner to submit his reply to the impugned notices and thereafter provide sufficient and reasonable opportunity to the petitioner and pass appropriate orders, after hearing the petitioner and in accordance with law, as per the principles laid down by the Apex Court and this Court in the aforesaid judgments.

7. Subject to the aforesaid observations and directions, the petition stands disposed of.

Sd/-
(S.R.KRISHNA KUMAR)
JUDGE

BMC
List No.: 2 Sl No.: 2