



IN THE HIGH COURT OF KARNATAKA AT DHARWAD

DATED THIS THE 11TH DAY OF JUNE, 2026

**BEFORE
THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM**

WRIT PETITION NO.104739 OF 2026 (GM-POLICE)

BETWEEN:

MUZAMMIL S/O. MOHAMMEDSHARIF ATTAR,
AGE: 28 YEARS, OCC. BUSINESS,
R/O. H.NO.2362, AZAD GALLI,
BELAGAVI-590 001.

... PETITIONER

(BY SRI. ANWARALI D. NADAF, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
BY ITS PRINCIPAL SECRETARY,
HOME DEPARTMENT, VIDHAN SOUDHA,
BENGALURU-560 001.
2. THE DEPUTY COMMISSIONER OF POLICE (L AND O)
AND OFFICE OF EXECUTIVE MAGISTRATE,
BEHIND LINGRAJ COLLEGE,
COLLEGE ROAD, BELAGAVI-590 001.
3. STATION HOUSE OFFICER,
GRAMEEN POLICE STATION,
BAGALKOTE-587 101.

... RESPONDENTS

(BY SRI. SHARAD V. MAGADUM, AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH IMPUGNED ORDER OF EXTERNMENT PASSED BY THE 2ND RESPONDENT DATED 04/06/2026, VIDE REF NO.MAG/G, PA/11/COP/2026, AT ANNEXURE A AND TO QUASH THE ROWDYSHEETER MAINTAINED IN THE NAME OF THE PETITIONER, IN THE INTEREST OF JUSTICE AND EQUITY.





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

ORAL ORDER

(PER: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM)

The captioned writ petition is filed assailing the externment order passed by the competent authority invoking Section 56 of Karnataka Police Act, 1963 (for short 'K.P.Act, 1963').

2. The petitioner's counsel reiterating the grounds has tried to pursued this Court demonstrating that even if allegations and report are accepted in entirety, no case is made out under Section 56 of K.P.Act, 1963.

3. Learned Additional Government Advocate has raised the primary objection contending that petitioner was heard and he has contested the proceedings and therefore, he has to be relegated to avail a remedy under Section 59 of K.P.Act, 1963.

4. Though this Court grants indulgence where externment orders, being drastic measures, are passed in gross violation of the principles of natural justice, it is not a fit case to grant such indulgence since the petitioner was afforded an



opportunity and the order was passed by the authority only after hearing the petitioner. The petitioner's contention that the order is palpably erroneous cannot be a ground to entertain the petition when there is an efficacious remedy under Section 59 of the K.P. Act, 1963. Therefore, this is a fit case to relegate petitioner to avail a remedy of an appeal.

5. For the foregoing reasons, the petition stands ***dismissed*** reserving liberty to the petitioner to avail remedy under Section 59 of the K.P.Act, 1963.

**Sd/-
(SACHIN SHANKAR MAGADUM)
JUDGE**

AM/-
CT:BCK
LIST NO.: 3 SL NO.: 1