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HC-KAR

NC: 2026:KHC-D:17446
WP No. 106261 of 2026

CNR: KAHC020128322026

IN THE HIGH COURT OF KARNATAKA AT DHARWAD

DATED THIS THE 17TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.G.S. KAMAL

R

WRIT PETITION NO. 106261 OF 2026 (GM-POLICE)

BETWEEN:

SRI MANJUNATH KRISHNAPPA DALAWAI
S/O KRISHNAPPA DALAWAI
AGE 39 YEARS, OCC. AGRICULTURE,
R/O GRAM PANCHAYAT, GADDANAKERI, SIMIKERI,
BAGALKOT 587103, DIST. BAGALKOT.

...PETITIONER

(BY SRI. KUSHAL N.K., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
DEPARTMENT OF HOME AND INTERNAL AFFAIRS,
R/BY ITS PRINCIPAL SECRETARY,
VIKAS SOUDHA, AMBEDKAR VEEDHI, BENGALURU 01.

2. THE SUPERINTENDENT OF POLICE,
BAGALKOT, DIST. BAGALKOT 587101.

3. THE POLICE SUB-INSPECTOR,
NAVANAGAR POLICE STATION,
BAGALKOT, DIST. BAGALKOT.

...RESPONDENTS

(BY SRI. PRASHANTH V. MOGALI, HCGP)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO ISSUE A WRIT, ORDER OR DIRECTIONS IN THE NATURE OF CERTIORARI QUASHING THE IMPUGNED INTIMATION/COMMUNICATION, DATED 10.06.2026 BEARING NO. NIL, ISSUED BY THE 3RD RESPONDENT VIDE ANNEXURE-A AND ETC.

THIS WP COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:
CORAM: HON'BLE MR. JUSTICE M.G.S. KAMAL

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ORAL ORDER

1. Petitioner, confronted with the notice issued by the Sub-Inspector of Police, Navanagara Police Station, Bagalkot, threatening to open a Rowdy sheet against him in terms of Order No.1059 of the Karnataka Police Manual, is before this Court.

2. Learned counsel for the petitioner submits that, merely because two false cases have been foisted against the petitioner in Crime No.73/2026 for the offences punishable under sections 318(4),336(2),336(3),337 and 338 of the Bharatiya Nyaya Sanhita, 2023, and in Crime No.74/2026 for the offences punishable under sections 132 and 262 of the Bharatiya Nyaya Sanhita, 2023, the respondent Sub-Inspector of Police has threatened to open a rowdy sheet against the petitioner. He submits that the aforesaid cases arise out of civil litigation pending consideration in O.S.Nos.111/2017 and 208/2025.

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3. He relies upon the judgment of the Co-ordinate Bench of this Court in the case of ***B.S.Prakash v. the State of Karnataka***[1] and submits that, though document at Annexure-A purports to be a notice, it is in fact, an order opening a Rowdy sheet, which runs contrary to the provisions of law and the principles laid down by this Court. Hence, seeks for allowing the petition.

4. Learned HCGP, justifying the issuance of the notice, submits that it is only a notice and upon an explanation being submitted by the petitioner, an appropriate order will be passed. There is no cause of action for the petitioner to approach this Court, instead, he is required to submit a reply to the Sub-Inspector of Police.

5. Heard. Perused the records.

6. This Court has noticed that of late there is considerable increase in the cases of notices being issued by the Sub-Inspectors of Police with a threat to open Rowdy sheet against the persons who are named in one or two criminal cases most of which arise out of private family property or matrimonial disputes. Present case is one such classic case wherein a

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[1] ***Writ Petition No.4504/2021 along with connected matters dated 22.04.2022***

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Sub-Inspector of Police has issued a notice threatening to open a rowdy sheet. The notice in question reads as under:

"ಬಾಗಲಕೋಟ ಜಿಲ್ಲಾ ಪೊಲೀಸ್
ನವನಗರ ಪೊಲೀಸ್ ಠಾಣೆ, ಬಾಗಲಕೋಟ ಇ–ಮೇಲ್:

ದೂರವಾಣಿ: : 08354–235323 ಇ–ಮೇಲ್: navnagarbgk@ksp.gov.in
ಮೋ.ನಂ:9480803964 ಪಿನ್ ಕೋಡ್ : 587103

ಕ್ರಮಾಂಕ: /2026 ದಿನಾಂಕ: 10.06.2026

:ಪೊಲೀಸ್ ತಿಳುವಳಿಕೆ ಪತ್ರ:

ಈ ಮೂಲಕ ನಿಮಗೆ ತಿಳಿಯ ಪಡಿಸುವದೆನೆಂದರೆ, ನವನಗರ ಠಾಣೆ ಗುನ್ಯಾನಂ: 73/2026 ಕಲಂ: 318[4], 336[2],336[3],337.338, ಬಿ.ಎನ್.ಎಸ್–2023 2)74/2026 ಕಲಂ 132.262 ಬಿ.ಎನ್.ಎಸ್ ಪ್ರಕರಣದಲ್ಲಿ ಆರೋಪಿಯಾಗಿದ್ದು ಇರುತ್ತದೆ.

ಕಾರಣ ನೀವು ಅಪಾಯಕಾರಿ ಕೃತ್ಯಗಳನ್ನು ಎಸಗುವ ಸಾದ್ಯತೆ ಇದ್ದು ಮುಂದೆ ಸಮಾಜ ಕಂಠಕನಾಗಿ ಹೊರಹೊಮ್ಮುವ ಸಾದ್ಯತೆಗಳಿರುತ್ತವೆ ನಿಮ್ಮ ಕಾನೂನು ಬಾಹಿರ ಚಟುವಟಕೆಗಳ ಮೇಲೆ ಶಾಶ್ವತ ನಿಗಾವಹಿಸಲು ಮತ್ತು ನಿಮ್ಮ ಸಮಾಜಗಾತುಕ ಕೃತ್ಯಗಳನ್ನು ಹತೋಟಿಗೆ ತರುವ ಉದ್ದೇಶದಿಂದ ನಿಮ್ಮ ವಿರುದ್ದ ರೌಡಿ ಹಾಳೆಗಳನ್ನು ತೆರೆಯುವದು ಅತ್ಯವಶಕವಾಗಿರುತ್ತದೆ ಆದುದರಿಂದ ಕರ್ನಾಟಕ ಪೊಲೀಸ್ ಮ್ಯಾನ್ಯವಲ್ ಆದೇಶ ಸಂಖ್ಯೆ : 1059 (ಎ) ರನ್ವಯ ನಿಮ್ಮ ವಿರುದ್ಧ ನವನಗರ ಪೊಲೀಸ್ ಠಾಣೆಯಲ್ಲಿ ರೌಡಿ ಹಾಳೆಯನ್ನು ತೆರೆಯಲಾಗುವದು.

ಗೆ,
ಮಂಜುನಾಥ ತಂ.ಕೃಷ್ಣಪ್ಪ ದಳವಾಯಿ
ಸಾ:ಸೀಮಿಕೇರಿ"

7. Perusal of the aforesaid notice leaves no doubt, that it is not a notice calling upon the petitioner to show cause or to submit his explanation as sought to be contended by learned HCGP, but it is in the nature of intimation to the petitioner that there is a necessity and thus a Rowdy sheet would indeed be opened.

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8. Order No.1059 of the Karnataka Police Manual apart from defining the term rowdy also provides procedure for opening and maintenance of REGISTER OF ROWDIES the said Order reads as under:

> ***"REGISTER OF ROWDIES***
>
> ***1059.*** *(1) A rowdy may be defined as a goonda and includes a hooligan, tough, vagabond or any person who is dangerous to the public peace and tranquility.*
>
> *(2) The main forms of rowdyism are:-*
>
> *(a) Passing indecent remarks at women and School and College Girls;*
> *(b) Intimidation of law abiding people by acts of violence or by show of force or by abusive language;*
> *(c) Forcible collection of subscription;*
> *(d) Taking sides in petty quarrels between land-lords and tenants or between co-tenants and threatening people of the opposite party;*
> *(e) Disorderly conduct;*
> *(f) Rioting; and*
> *(g) Snatching and committing robbery*
>
> *(3) In every Police Station, a 'Register of Rowdies' should be maintained in Form No.100 in three parts viz., Part A, Part B and Part C which should be in separate Volumes. All the volumes are to be treated as confidential records.*
>
> *(4) (a) Names and particulars of 'Confirmed Rowdies' who are residents in the Police Station concerned should be entered in the Register Part A, a few pages being allotted for each person.*
>
> *(b) Names and particulars of 'Confirmed Rowdies' who are not residents in the Police Station limits but operate*

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within its jurisdiction and names of Homeless Confirmed Rowdies' should be entered in Part B, a few pages being allotted for every person.

(c) Names and particulars of "Novices" who are budding goondas should be entered in Part C. They may be either residents or non-residents of the Police Station concerned.

(5) Prior Orders of the Superintendent of Police or the Sub-Divisional Police Officer should be obtained for entering the name of every rowdy in the Register of Rowdies.

(6) Names of persons against whom there are ample instances of rowdyism should be entered in the Register Part A or Part B after the records are checked by the Inspector.

(7) When there are one or more instances of rowdyism against any person or if he has a very bad reputation in the locality as a bully, his name entered in Part 'C' on the ground of very bad reputation, a thorough enquiry should be made by the Officer in charge of the Police Station before the entry is made.

(8) In the running history, all the criminal activities of the rowdy including reasonable suspicion of his complicity in cases and/or complaints against him with case numbers, if any, and results of cases, etc., should be mentioned in separate paragraphs which should be numbered chronologically. Against each entry in the running history, there should be reference to Station House Diary entries, case diaries, source reports, mass petitions, petty cases, etc., as the case may be.

(9) Officers incharge of Police Stations should, in the course of their daily scrutiny of the entries in the Station House Diary and the petty cases Register, satisfy themselves that relevant notes therefrom have been made and embodied in the 'Rowdy Register' against the rowdies concerned. Before dispatching the copy of the Station House Diary to the Circle Inspector/SDPO, a note of having embodied the information in the rowdy register against the relevant entries, should be made.

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(10) Supervisory officers, during their inspections of Police Stations, should satisfy themselves that the entries have been properly made.

(11) When the activities of a non-resident rowdy comes to notice, the Officer in charge of the Police Station concerned should not only make necessary entries in Part 'B' of the Rowdy Register but also promptly transmit information to the Officer in charge of the Police Station in the limits of which the rowdy resides, to enable the latter to make necessary entries in Part 'A' of the Rowdy Register of his Police Station.

(12) When the Part 'C' rowdies indulge frequently in rowdy and anti-social acts, their names should be transferred from Part 'C' or 'B', as the case may be, of the Rowdy Register. When there is no entry against a Part 'C' rowdy during the period of one year from the date of entry of his name in the Register, his name may be struck off from the Register by the Officer in charge of the Police Station concerned in consultation with the Circle Inspector.

(13) No name should be struck off from Part 'A' or Part 'B' the Rowdy Register without the order in writing of the Superintendent of Police. In such cases, the Inspectors should send their recommendations to Superintendent of Police through the Sub-Divisional Police Officers.

(14) The Inspectors should maintain in their offices, the entire lists of the names of rowdies with their addresses which are on record in the Rowdy Register of the Police Station under their charge. The lists should be maintained Police Station-wise and maintained separately for each type of rowdies. The Inspector should once in a quarter, check up their own lists with the Rowdy Registers of the Police Stations under them.

(15) Under the existing laws, a rowdy can be dealt with in the following ways:

(i) Prosecution in specific cases, like robbery, rioter grievous hurt, etc.,

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(ii) Prosecution in appropriate cases for obscene acts and songs under Section 294 IPC (This is cognizable offence);

(iii) Prosecution for riotous and indecent behaviour, drunkenness, etc., under Sections 92 (0), (p), (q) and (r) of the Karnataka Police Act 1963, in the areas to which the provisions of that Section have been extended;

(iv) Action under Section 108 (b) of the Code of Criminal Procedure;

(v) Action under Section 107 CrPC

(vi) Action under Section 110 CrPC

(vii) Action under the preventive detention laws;

(viii) Externment proceedings under Section 55 and 56 of the Karnataka Police Act, 1963; and

(ix) Action under Section 509 IPC for eve-teasing;

(16) Every information that any particular Tea Stall, Restaurant, Éating House or Bar is the resort of rowdies and other types of anti-social elements, when received should promptly be verified and if found correct, the office-in-charge of the Police Station should suitably warn the proprietor/keeper of the Tea-Stall, Restaurant, etc.,

(17) With a view to facilitating identification of the rowdies by face, the Officer in charge of the Police Station should, during the roll call, show to the Station Staff recent photographs of the rowdies. He should instruct them to watch their movements and collect information about their activities.

(18) List of persons bound down under Section 106 or under Section 117 of the Code of Criminal Procedure should be maintained in the Police Station with the names and address of the sureties in the following columns:-

(1) Sl. No.

(2) Name and address of the complainant.

(3) Gist of the complaint with date and place of occurrence.

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(4) Names and addresses of persons with aliases bound down.

(5) Period for which bound down.

(6) Order of the Magistrate with date.

(7) Names and address of the sureties.

(8) Remarks.

(19) If during the period a person is bound over, there are complaints against him, an immediate enquiry should be made and if the complaints are found to be true, the court should be moved for taking action against the person and the sureties."

9. Clause (5) of the said order mandates that before opening/entering the name of every Rowdy in the Register of Rowdies prior orders from the Superintendent or Sub-Divisional Police Officer shall be obtained.

10. The officer who is empowered to open and maintain, history/rowdy sheet is Superior Police officer of the rank of Superintendent of police or Sub-divisional police. The jurisdictional Police Inspector or the officer in-charge of the police station shall with the prior orders of Superintendent of police or Sub-divisional Police Officer enter name of Rowdy in the Register of Rowdies. A Sub-Inspector or Police cannot on his own open a Rowdy sheet.

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11. The Co-ordinate bench of this Court in the case of ***B.S.Prakash*** (supra) while dealing in detail with substantive and procedural law to be mandatorily followed by the concerned-police officer in the matters of opening and maintaining the history/rowdy sheet, has laid down guidelines for opening of rowdy sheet/history sheet, which read as under:

GUIDELINES FOR ROWDY/HISTORY SHEETING:

i. *Before entering the name of an individual to the Register of Rowdies, the jurisdictional police shall collect and collate the material information concerning him and frame the proposal for registration on that basis.*

ii. *A brief proposal notice shall be sent to the individual concerned in a sealed cover with an option to submit his representation within two weeks as to why his name should not be registered as a rowdy. However, there is no need to afford a personal hearing. In exceptional cases notice may be dispensed with for reasons to be recorded in the Register of Rowdies.*

iii. *In terms of Clause (5), Order 1059 of the Manual, the Superintendent of Police or the Sub – Divisional Police Officer shall not accord approval for entering the name of individual concerned to the Register of Rowdies without calling for records and objectively considering the same. He shall briefly record his reasons for according the approval and mark a copy thereof to the individual forthwith, with a mention that he may petition the Police Complaints Authority, against the same.*

iv. *The jurisdictional Police shall compulsorily once in two years, undertake a periodic review of entries in the Register of Rowdies suo motu, as provided under Clause (2), Order 1057 of the Manual. However, it is open to the aggrieved, to make*

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a representation at any time after one year of registration, seeking deletion of name from the Rowdy Register on the basis of changed circumstances such as rectitude, good conduct, social/community service, etc.

v. *The representation for review shall be considered by the jurisdictional Police at the initial level within a period of 30 days, during which necessary inputs may be obtained through the available sources as to merits of the claim. The recommendation shall be sent to the jurisdictional Superintendent of Police or the Sub – Divisional Police Officer, within 15 days along with the representation & the material collected thereon. Such recommendation along with the result of consideration of the representation shall be communicated to the individual concerned within next 15 days.*

vi. *Any individual aggrieved by the rejection of his representation or continuation of his name in the Register may petition to the Police Complaints Authority ordinarily within 30 days. However, no personal hearing shall avail. The petition shall be disposed off by recording reasons within an outer limit of 60 days, after considering the material on record or the fresh inputs that may be requisitioned, by the authority.*

vii. *The entire process of Rowdy/History Sheeting from the stage of issuance of proposal notice as specified above, up to the issuance of the orders on the petition if any to the Police Complaints Authority, shall be done only in a sealed cover procedure and that nothing therein shall be disclosed nor made available to anyone, except to the aggrieved, nor any Right To Information (RTI) application shall be entertained in this regard.*

viii. *The violation of these guidelines shall constitute a major misconduct and an adverse entry on proof thereof shall be made by the Disciplinary Authority in the Service Register of the erring official after hearing him and a copy thereof shall be marked to the victim of Rowdy Register/History Sheet, without brooking any delay.*

ix. *Whatever guidelines herein above laid down shall be applicable to the case of History Sheeters as well, mutatis mutandis and subject to the provisions of Karnataka Police Manual, 1965.*

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12. Though there is no express provision under Order No.1059 of the Karnataka Police Manual providing for issuance of prior notice, the Co-ordinate Bench of this Court in the aforesaid guideline No.ii has directed for issuance of a brief proposal notice which is an additional safeguard in the protection of rights of citizenry against the excess of Police. The said guidelines of issuance of notice has to be read along with guideline No.iii which is in consonance with the object, purport and rigour of Clause (5) of the Order No.1059 of the Karnataka Police Manual.

13. The aforesaid guideline No.ii appears to have been misread by the respondent-Police, wherein even the Sub-Inspectors of police stations have started issuing the notices to anyone and everyone whom and whose name he thinks deserves to be entered into a Rowdy sheet by expressly declaring that a Rowdy Sheet will be opened, without reference he having obtained prior orders of the Superintendent of Police or the Sub-Divisional Police Officer. There is no compliance to even to the tenor of the aforesaid guideline No.ii which is only to provide an opportunity to the person against whom a Rowdy

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Sheet sought to be open to submit his representation as mentioned therein. Therefore, Sub-Inspector has no power or authority to issue a notice intimating opening of the Rowdy Sheet as sought to be done in the instant case.

14. The very fact, that this kind of notices are being issued runs contrary to the mandate of law, which bars opening a Rowdy Sheet without the prior orders of Superintendent of Police or the Sub-Divisional Police Officer, who is authorised by the Superintendent of Police. Therefore it goes without saying that even if a notice is required to be issued, such notice has to be issued by the Superintendent of Police or authorised the Sub-Divisional of Police Officer or with his prior order. Such power cannot be exercised by an Officer below the rank of the Superintendent of Police or Sub-Divisional Police Officers.

15. It is made clear that notice for opening a Rowdy sheet, if any, shall be issued only by an officer not below the rank of Superintendent of Police or a Sub-Divisional Police Officer authorised in accordance with law.

16. The guidelines in the ***B.S.Prakash (supra)*** case shall be read and applied accordingly.

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17. Necessary instructions or circular in this regard shall be issued by respondent No.1-State Government to all the concerned police stations.

18. Accordingly, the petition is ***allowed***.

19. The impugned notice/intimation/communication dated 10.06.2026 issued by respondent No.3 at Annexure-A is hereby quashed.

20. Copy of this order be forwarded to respondent No.1 for necessary action and compliance.

Sd/-
(M.G.S. KAMAL)
JUDGE

RHR
CT:VP
LIST NO.: 1 SL NO.: 48