



IN THE HIGH COURT OF KARNATAKA AT DHARWAD

DATED THIS THE 30TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

CRIMINAL PETITION NO.101182 OF 2022

(482(Cr.PC)/528(BNSS))

BETWEEN:

1. GIRISH PATIL S/O. GANGADHAR PATIL,
AGE. 43 YEARS, OCC. PRESS REPORTER
AND AGRICULTURIST,
R/O. NEW TOWNSHIP, JOIDA,
DIST. UTTARA KANNADA-581186.
2. ASHOK S/O. MAHABALESHWAR HASYAGARA,
AGE. 67 YEARS, OCC. EDITOR,
JANAMADYAMA KANNADA DAILY NEWS PAPER
R/O. PRAGATI NAGAR, SIRSI,
DIST. UTTARA KANNADA-581402.

...PETITIONERS

(BY SRI. NARAYAN V.YAJI, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
THROUGH POLICE INSPECTOR,
DANDELI RURAL POLICE STATION,
DANDELI, R/BY SPECIAL PUBLIC PROSECUTOR,
OFFICE OF THE ADVOCATE GENERAL,
HIGH COURT BUILDING, DHARWAD-580011.
2. SMT. RAJESHWARI KRISHNAMURTI B.
W/O. KRISHNAMURTI,
AGE. 47 YEARS, OCC. PRESIDENT,
CHILD WELFARE COMMITTEE, KARWAR,
DIST. UTTARA KANNADA-581301.

...RESPONDENTS

(BY SMT. GIRIJA S.HIREMATH, HCGP FOR R1;
NOTICE TO R2 IS SERVED)





THIS CRIMINAL PETITION IS FILED UNDER SECTION 482 OF CR.P.C. PRAYING TO CALL FOR RECORDS AND QUASH THE CHARGE SHEET FILED BY THE DANDELI RURAL POLICE STATION VIZ 1ST RESPONDENT UNDER SECTION 74(1) OF JUVENILE JUSTICE (CARE AND PROTECTION OF CHILDREN) ACT 2015 IN BEARING CRIMINAL CASE NO.06/2021 AND CONSEQUENTLY, ALSO QUASH ENTIRE PROCEEDING PENDING BEFORE THE CIVIL JUDGE AND JMFC COURT, DANDELI IN CRIMINAL CASE NO.06/2021 AS IT ILLEGAL AND NOT MAINTAINABLE AND ETC.,.

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

CORAM: HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

ORAL ORDER

Heard the learned counsel appearing for the petitioners and the learned High Court Government Pleader appearing for respondent No.1-State.

2. Despite service of notice, none appears for respondent No.2/complainant.

3. This petition is filed seeking to quash the proceedings in C.C. No.06/2021 pending on the file of JMFC Court, Dandeli¹ arising out of Crime No.06/2021 registered before Dandeli Rural Police Station for the offence alleged

¹ For short, 'the Trial Court'



under Section 74(1) of Juvenile Justice (Care and Protection of Children) Act, 2015².

4. Learned counsel for the petitioners would submit that, a newspaper report was published on 20.01.2020 reporting an incident in which a school teacher had allegedly assaulted a child.

5. Learned counsel further submits that, on the very same day, the victim's father lodged a complaint against the teacher and an FIR came to be registered.

6. The police completing the investigation, filed the charge sheet on 24.03.2020 alleging offence under Section 74(1) of the Act of 2015.

7. Learned counsel for the petitioners would further submit that, Section 74(1) of the Act of 2015 prohibits publication of any news relating to an inquiry, investigation, or judicial proceeding disclosing the name of the child or the school, which may lead to the identification of the child in

² For short, 'the Act of 2015'



conflict with law, a child in need of care and protection, or a child victim or witness of a crime.

8. Learned counsel for the petitioners would further submit that, the news was published to secure justice for the child victim and not to tarnish the image of the child, as such, the offence under Section 74 of the Act of 2015 is not attracted.

9. Learned High Court Government Pleader would oppose the petition.

10. This Court has considered the contentions urged at the bar and perused the records.

11. Section 74 of the Act of 2015 reads as under:

"74. Prohibition on disclosure of identity of children.

(1) No report in any newspaper, magazine, news-sheet or audio-visual media or other forms of communication regarding any inquiry or investigation or judicial procedure, shall disclose the name, address or school or any other particular, which may lead to the identification of a child in conflict with law or a child in need of care and protection or a child victim or witness of a crime, involved in such matter,



under any other law for the time being in force, nor shall the picture of any such child be published: Provided that for reasons to be recorded in writing, the Board or Committee, as the case may be, holding the inquiry may permit such disclosure, if in its opinion such disclosure is in the best interest of the child.

(2) The Police shall not disclose any record of the child for the purpose of character certificate or otherwise in cases where the case has been closed or disposed of.

(3) Any person contravening the provisions of sub-section (1) shall be punishable with imprisonment for a term which may extend to six months or fine which may extend to two lakh rupees or both."

(emphasis supplied)

12. On perusal of Section 74 of the Act of 2015, it is evident that if the inquiry or any investigation or judicial proceeding is pending concerning a child, no news item shall be published wherein the identity of the child will be disclosed.

13. Section 74 of the Act of 2015 is very specific. In case the child is a witness or child is in need of care and protection, the name of the child should not be disclosed and



even if the child is a victim, the name of the child should not be disclosed.

14. The contention of the petitioners that the publication is not barred on the ground that the child has not been projected as a child in conflict with law and publication is not barred for such reason cannot be accepted.

15. The very purpose of the Act of 2015 is to provide, comprehensive provisions for the children alleged and found to be in conflict with law and also children in need of care and protection.

16. The law is introduced by consolidating and amending the law relating to the children alleged and found to be in conflict with law and also children in need of care and protection, by ensuring their basic needs through proper care, protection, development, treatment and social reintegration by adopting a child-friendly approach, adjudication of the disposal matters in the best interest of the children, and for their rehabilitation through processes provided and institutions and bodies established.



17. The Court is of the view that, the petitioner cannot raise a defence that the publication is made in the interest of the child, keeping in mind the object of the enactment and also the legislative intent of the Section 74 of the Act of 2015.

18. It is to be borne in mind that, children will be sensitive to many matters and publication of their name in the newspaper and publicity given to any incident involving the child, even if child is victim, may not be always in the interest of the child. The child may respond to such wide publicity in a different way which may not be in the interest of the child.

19. Under these circumstances, the Court does not find any merit in the petitioners' contention.

20. Accordingly, the petition is ***dismissed***.

Sd/-
(ANANT RAMANATH HEGDE)
JUDGE