

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 12TH DAY OF OCTOBER 2021

BEFORE

THE HON'BLE MR.JUSTICE N.S.SANJAY GOWDA

W.P No.18599/2021 (GM-RES)

BETWEEN:

1. THE PUBLIC INFORMATION OFFICER
AND DIRECTOR GENERAL OF POLICE,
C.I.D.
CARLTON HOUSE
PALACE ROAD
BENGALURU - 560 001
2. THE FIRST APPELLATE AUTHORITY AND
POLICE UPA MAHANIRKSHAKARU
C.I.D., CARLTON HOUSE
PALACE ROAD
BENGALURU - 560 001

... PETITIONERS

(BY SRI VENKATA SATYA NARAYANA, HCGP)

AND:

1. SRI.MALLESHAPPA M.CHIKKERI
PRATEEK BUILDING
GANDHINAGAR
DHARWAD - 580 004
2. STATE INFORMATION COMMISSIONER
MAHITHI SOUDHA
NO.204, 2ND FLOOR
DEVARAJ URS ROAD

BEHIND K.P.S.C OFFICE PREMISES
BENGALURU - 560 001

... RESPONDENTS

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO CALL FOR THE RECORDS IN CASE DATED 18.03.2021 ON THE FILE OF THE HON'BLE KARNATAKA STATE INFORMATION COMMISSIONER, KARNATAKA INFORMATION COMMISSION, BENGALURU AS PER ANNEXURE-A AND ETC.,

THIS WRIT PETITION COMING ON FOR ORDERS, THIS DAY, THE COURT MADE THE FOLLOWING:

ORDER

By the impugned order, the State Information Commissioner has directed the petitioners to hand-over and furnish the B-Report and the enclosures, which were sought for by respondent No.1.

2. The 1st respondent's son is stated to have ended his life by jumping out from the window and it was stated by the Authorities that he had died due to over drinking. Respondent No.1 had sought for information regarding the B-Report that was filed after investigation, contending that the stigma was attached to his family by furnishing of the B-Report.

3. The Commissioner has noticed that there was no prohibition to give information sought for since the investigation was already completed. The Commissioner has noticed that only in the event the matter was under investigation, there was a bar for grant of the information regarding the investigation.

4. In my view, the Commissioner was absolutely justified in directing furnishing of B-Report and its enclosures as sought for by respondent No.1 especially when the investigation in the matter had been concluded.

5. The contention of the learned counsel for the petitioners that it was open for respondent No.1 to secure B-Report and enclosures from the Magistrate cannot be a ground to deny the information sought for under RTI. Therefore, no grounds are made out to entertain this petition.

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

**Sd/-
JUDGE**