



ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು
ವಿಶೇಷ ರಾಜ್ಯ ಪತ್ರಿಕೆ

ಭಾಗ - ೪ಎ Part - IVA	ಬೆಂಗಳೂರು, ಗುರುವಾರ, ೦೫, ಫೆಬ್ರವರಿ, ೨೦೨೬ (ಮಾಘ, ೧೬, ಶಕವರ್ಷ, ೧೯೪೭) BENGALURU, THURSDAY, 05, FEBRUARY, 2026 (MAGHA, 16, SHAKAVARSHA, 1947)	ನಂ. ೧೩೩ No. 133
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Government of Karnataka

No: HD 638 SST 2022

Karnataka Government Secretariat,
Vidhana Soudha, Dr.B.R.Ambedkar Veedhi,
Bangalore, dated: 04.02.2026

NOTIFICATION

WHEREAS, the Hon'ble Supreme Court in MAHENDER CHAWLA and ORS. VERSUS UNION OF INDIA and ORS, WRIT PETITION (CRIMINAL) NO. 156 OF 2016, Dated 05.12.2018 has directed the states to enforce Witness Protection Scheme.

And whereas the Government of Karnataka has decided to provide protection and security to the witnesses in criminal investigation and trials, their relatives in relation to serious offences. Therefore, the Government of Karnataka hereby makes the following scheme, namely:-

SCHEME

1. Title and commencement.- (1) This scheme may be called the Karnataka Witness Protection Scheme, 2026.

(2) They shall come into force from the date of their publication in the Official Gazette.

2. Definitions.- (a) "Sanhita" means the Bharathiya Nagarik Suraksha Sanhita, 2023 (Central Act No. 46 of 2023).

(b) “Concealment of Identity of Witness” means and includes any condition prohibiting publication or revealing, in any manner, directly or indirectly, of the name, address and other particulars which may lead to the identification of the witness during investigation, trial and post-trial stage;

(c) “Competent Authority” means a Standing Committee in each District chaired by the District and Sessions Judge with Head of the Police unit of the District or Commissionerate as the case may be, in the respective jurisdiction as Member and Head of the Prosecution in the District as its Member Secretary.

(d) “Family Member” includes parents or guardian, spouse, live-in partner, siblings, children, grandchildren of the witness;

(e) "Form" means form appended to this Scheme;

(f) “In Camera Proceedings” means proceedings wherein the Competent Authority or Court allows only those persons who are necessarily to be present while hearing and deciding the witness protection application or deposing in the court;

(g) “Live Link” means and include a live video link or other such arrangement whereby a witness, while not being physically present in the courtroom for deposing in the matter or interacting with the Competent Authority;

(h) “Witness Protection Measures” means measures spelt out in Clauses 7, 9, 10 and 11 of this Scheme.

(i) "Offence" means those offences which are punishable with death or life imprisonment or an imprisonment up to seven years and above and also offences punishable under sections 74, 75, 76, 77, 78 and 79 of the Bharathiya Nyaya Sanhita, 2023 (Central Act No. 45 of 2023).

(j) "Threat Analysis Report" means a detailed report prepared and submitted by the Head of the Police unit of the District or Commissionerate investigating the case with regard to the seriousness and credibility of the threat perception to the witness or his family members. It shall contain specific details about the nature of threats faced by the witness or his family to their life, reputation or property apart from analyzing the extent, or persons making threat, have the intent, motive and resources to implement the threats. It shall also categorize the threat perception apart from suggesting the specific witness protection measures which deserves to be taken in the matter;

(k) “Witness” means any person, who posses information or document about any offence and accordingly he has given statement before the investigation Agency or before the judicial court;

(l) “Witness Protection Application” means an application moved by the witness in the prescribed form before a Competent Authority through its Member Secretary for seeking Witness Protection Order. It can be moved by the witness, his family member,

his duly engaged counsel or Investigating Officer or Station House Officer or Sub-Divisional Police Officer or Jail Superintendent concerned;

(m) “Witness Protection Fund” means the fund created for bearing the expenses incurred during the implementation of Witness Protection Order passed by the Competent Authority under this scheme;

(n) “Witness Protection Order” means an order passed by the Competent Authority detailing the witness protection measures to be taken.

(o) “Witness Protection Cell” means a dedicated Cell of State Police or Central Police Agencies assigned the duty to implement the witness protection order.

3. Categories of Witness as per threat perception.- (1) Category ‘A’: Where the threat extends to life of witness or his family members, during investigation or trial or thereafter.

(2) ‘Category ‘B’: Where the threat extends to safety, reputation or property of the witness or his family members, during the investigation or trial or thereafter.

(3) ‘Category ‘C’: Where the threat is moderate and extends to harassment or intimidation of the witness or his family member's, reputation or property, during the investigation or trial or thereafter.

4. State Witness Protection Fund.- (1) There shall be a Fund, namely, the Witness Protection Fund from which the expenses incurred during the implementation of Witness Protection Order passed by the Competent Authority and other related expenditure, shall be met.

(2) The Witness Protection Fund shall comprise the following:-

- (i) Budgetary allocation made in the Annual Budget by the State Government;
- (ii) Receipt of amount of costs imposed or ordered to be deposited by the courts or tribunals in the Witness Protection Fund;
- (iii) Donations or contributions from Charitable Institutions or Organizations and individuals permitted by the Government.
- (iv) Funds contributed under Corporate Social Responsibility.

(3) The said Fund shall be operated by the Home Department of Government of Karnataka.

5. Filing of Application Before Competent Authority.- The application for seeking protection order under this scheme can be filed in the prescribed form before the Competent Authority of the concerned District where the offence is committed, through its Member Secretary along with supporting documents, if any.

6. Procedure for Processing the Application.- (1) As and when an application is received by the Member Secretary of the Competent Authority, in the prescribed form, he shall forthwith pass an order for calling for the Threat Analysis Report from

the Assistant Commissioner of Police or Deputy Commissioner of Police in-charge of the concerned Police Sub-Division.

(2) Depending upon the urgency in the matter owing to imminent threat, the Competent Authority can pass orders for interim protection of the witness or his family members during the pendency of the application.

Provided that, nothing shall preclude police from providing immediate protection in case of grave and imminent threat to life of applicant and his family members.

(3) The Threat Analysis Report shall be prepared expeditiously while maintaining full confidentiality and it shall reach the Competent Authority within five working days of receipt of the order.

(4) The Threat Analysis Report shall categorize the threat perception and also include suggestive protection measures for providing adequate protection to the witness or his family.

(5) While processing the application for witness protection, the Competent Authority shall also interact preferably in person and if not possible through electronic means with the witness and/or his family members or employers or any other person deemed fit so as to ascertain the witness protection needs of the witness.

(6) All the hearings on Witness Protection Application shall be held in-camera by the Competent Authority while maintaining full confidentiality.

(7) An application shall be disposed of within five working days of receipt of Threat Analysis Report from the Police Authorities.

(8) The Witness Protection Order passed by the Competent Authority shall be implemented by the Witness Protection Cell of the State or the Trial Court, as the case may be. Overall responsibility of implementation of all witness protection orders passed by the Competent Authority shall lie on the Head of the Police in the State.

However the Witness Protection Order passed by the Competent Authority for change of identity and/or relocation shall be implemented by the Home Department of the State.

(9) Upon passing of a Witness Protection Order, the Witness Protection Cell shall file a monthly follow-up report before the Competent Authority.

(10) In case, the Competent Authority finds that there is a need to revise the Witness Protection Order or an application is moved in this regard, and upon completion of trial, a fresh Threat Analysis Report shall be called from the Assistant Commissioner of Police or Deputy Commissioner of Police in charge of the concerned Police Sub-Division.

7. Types of Protection Measures.- The witness protection measures ordered shall be proportionate to the threat and shall be for a specific duration not exceeding three months at a time. These may include,-

- (a) Ensuring that witness and accused do not come face to face during investigation or trial;
- (b) Monitoring of mail and telephone calls;
- (c) Arrangement with the telephone company to change the witness's telephone number or assign him an unlisted telephone number;
- (d) Installation of security devices in the witness's home such as security doors, CCTV, alarms, fencing etc;
- (e) Concealment of identity of the witness by referring to him with the changed name or alphabet;
- (f) Emergency contact persons for the witness;
- (g) Close protection, regular patrolling around the witness's house;
- (h) Temporary change of residence to a relative's house or a nearby town;
- (i) Escort to and from the court and provision of Government vehicle or a State funded conveyance for the date of hearing;
- (j) Holding of in-camera trials;
- (k) Allowing a support person to remain present during recording of statement and deposition;
- (l) Usage of specially designed vulnerable witness court rooms which have special arrangements like live video links, one way mirrors and screens apart from separate passages for witnesses and accused, with option to modify the image of face of the witness and to modify the audio feed of the witness' voice, so that he is not identifiable;
- (m) Ensuring expeditious recording of deposition during trial on day to day basis without adjournments;
- (n) Awarding time to time periodical financial aids or grants to the witness from Witness Protection Fund for the purpose of re-location, sustenance or starting a new vocation or profession, as may be considered necessary.
- (o) Any other form of protection measures considered necessary.

8. Monitoring and Review.- Once the protection order is passed, the Competent Authority would monitor its implementation and can review the same in terms of follow-up reports received in the matter. However, the Competent Authority shall review the Witness Protection Order on a quarterly basis based on the monthly follow-up report submitted by the Witness Protection Cell.

9. Protection of Identity.- (1) During the course of investigation or trial of any offence, an application for seeking identity protection can be filed in the prescribed form before the Competent Authority through its Member Secretary.

(2) Upon receipt of the application, the Member Secretary of the Competent Authority shall call for the Threat Analysis Report. The Competent Authority shall examine the witness or his family members or any other person it deem fit to ascertain whether there is necessity to pass an identity protection order.

(3) During the course of hearing of the application, the identity of the witness shall not be revealed to any other person, which is likely to lead to the witness identification. The Competent Authority can thereafter, dispose of the application as per material available on record.

(4) Once, an order for protection of identity of witness is passed by the Competent Authority, it shall be the responsibility of Witness Protection Cell to ensure that identity of such witness or his family members including name or parentage or occupation or address or digital footprints are fully protected.

(5) As long as identity of any witness is protected under an order of the Competent Authority, the Witness Protection Cell shall provide details of persons who can be contacted by the witness in case of emergency.

10. Change of Identity.- (1) In appropriate cases, where there is a request from the witness for change of identity and based on the Threat Analysis Report, a decision can be taken for conferring a new identity to the witness by the Competent Authority.

(2) Conferring new identities includes new name or profession or parentage and providing supporting documents acceptable by the Government Agencies. The new identities should not deprive the witness from existing educational or professional or property rights.

11. Relocation of Witness.- (1) In appropriate cases, where there is a request from the witness for relocation and based on the Threat Analysis Report, a decision can be taken for relocation of the witness by the Competent Authority.

(2) The Competent Authority may pass an order for witness relocation to a safer place within the State or territory of the Indian Union keeping in view the safety, welfare and wellbeing of the witness. The expenses shall be borne by the Witness Protection Fund.

12. Witnesses to be Apprised of the Scheme.- Every state shall give wide publicity to this Scheme. The Investigating Officer and the Court shall inform witnesses about the existence of "Witness Protection Scheme" and its salient features.

13. Confidentiality and Preservation of Records.- (1) All stakeholders including the Police, the Prosecution Department, Court Staff, Lawyers from both sides shall maintain full confidentiality and shall ensure that under no circumstance, any

record, document or information in relation to the proceedings under this scheme shall be shared with any person in any manner except with the Trial Court or Appellate Court and that too, on a written order.

(2) All the records pertaining to proceedings under this scheme shall be preserved till such time the related trial or appeal thereof is pending before a Court of Law. After one year of disposal of the last Court proceedings, the hard copy of the records can be weeded out by the Competent Authority after preserving the scanned soft copies of the same.

14. Recovery of Expenses.- (1) In case the witness has lodged a false complaint, the Home Department of the State can initiate proceedings for recovery of the expenditure incurred from the Witness Protection Fund.

(2) If the protectee is considered as an accused in the same case (wherein protection is provided to the witness) by the Investigation Officer, intimation shall be given to the Standing Committee which passed the protection order immediately. From the date of intimation to the Standing Committee, it shall be deemed that, the protectee has lost protection under this Scheme and liable to refund the benefits availed under this Scheme.

(3) The Competent Authority may authorize any of its administrative subordinates or Police Officer of its jurisdiction, to initiate legal action for recovery of the benefits from the protectee who lost protection under this Scheme and failed to return or refund the benefits as per the decision of the Competent Authority including filing criminal complaint for furnishing false information.

15. Review.- In case the witness or the police authorities are aggrieved by the decisions of the Competent Authority, then within fifteen days of passing of the order by that Authority, a review application may be filed before the same Competent Authority to review the decision.

By order and in the name of
the Governor of Karnataka

(Nagaraju S)
Under Secretary to Government,
Home Department (Law and Order)

FORM
(See Clause 2 (1))
Witness Protection Application
(Under Witness Protection Scheme, 2026)

Before, (To be filed in duplicate)
The Competent Authority,
District.....
Application for:

1. Witness Protection	
2. Witness Identity Protection	
3. New Identity	
4. Witness Relocation	

1.	Particulars of the Witness (Fill in Capital):	
	(1) Name	
	(2) Age	
	(3) Gender (Male/Female/Other)	
	(4) Father's/Mother's Name	
	(5) Residential Address	
	(6) Name and other details of family members of the witness who are receiving or perceiving	
	(7) Contact details (Mobile/e-mail)	
2.	Particulars of Criminal matter:	
	(1) FIR No.	
	(2) Under Section	
	(3) Police Station	
	(4) District	
	(5) D.D. No. (in case FIR not yet registered)	
	(6) Cr. Case No. (in case of private complaint)	

3.	Particulars of the Accused (if available/known):	
	(1) Name	
	(2) Address	
	(3) Phone No.	
	(4) Email id	
4.	Name and other particulars of the person giving/suspected of giving threats	
5.	Nature of threat perception. Please give brief details of threat received in the matter with specific date, place, mode and words used	
6.	Type of witness protection measures prayed by/for the witness	
7.	Details of Interim / urgent Witness Protection needs, if required	

• Applicant/witness can use extra sheets for giving additional information.

(Full Name with signature)

Date:

Place:.....

UNDERTAKING

1. I undertake that I shall fully cooperate with the competent authority and the Department of Home of the State and Witness Protection Cell.
2. I certify that the information provided by me in this application is true and correct to my best knowledge and belief.
3. I understand that in case, information given by me in this application is found to be false, competent authority under the scheme reserves the right to recover the expenses incurred on me from out of the Witness Protection Fund.

(Full Name with signature)

Date:

Place:.....