

- [Home](#)
- [Bangalore](#)
 - [Cover Story](#)
 - [Crime](#)
 - [Civic](#)
 - [Other](#)
 - [Elections](#)
- [Entertainment](#)
 - [Bollywood](#)
 - [Hollywood](#)
 - [Reviews](#)
 - [Lounge](#)
 - [South Masala](#)
- [Videos](#)
 - [sectionhomelist](#)
 - [News](#)
 - [Sports](#)
 - [Entertainment](#)
- [Photos](#)
 - [Entertainment](#)
 - [News](#)
 - [Sports](#)
- [Sports](#)
 - [Cricket](#)
 - [Football](#)
 - [Tennis](#)
 - [Others](#)
- [News](#)
 - [State](#)
 - [India](#)
 - [World](#)
 - [Business](#)
- [Opinion](#)
 - [Ask the Sexpert](#)
 - [Sunday Read](#)
 - [You](#)
 - [Code 560](#)
 - [Others](#)
 - [Views](#)
 - [Food](#)
 - [Teen Spirit](#)
 - [Blogs](#)
- [Loksabha Elections](#)
 - [Photos](#)
 - [Videos](#)
 - [Schedule](#)
 - [Campaign Tracker](#)
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- [Cover Story](#)
- [Crime](#)

- [Civic](#)
- [Other](#)
- [Elections](#)
 - [News](#)
 - [Photos](#)
 - [Videos](#)

[Bangalore](#)

- [Cover story](#)
- [Crime](#)
- [Civic](#)
- [Others](#)

[Entertainment](#)

- [Bollywood](#)
- [Hollywood](#)
- [Reviews](#)
- [Lounge](#)
- [South Masala](#)

[Videos](#)

- [News](#)

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- [Sports](#)
- [Entertainment](#)

[Photos](#)

- [Entertainment](#)
- [News](#)
- [Sports](#)

[Sports](#)

- [Cricket](#)
- [Football](#)
- [Tennis](#)
- [Others](#)

[News](#)

- [State](#)
- [India](#)
- [World](#)
- [Business](#)

[Opinion](#)

- [Ask the Sexpert](#)
- [Sunday Read](#)
- [You](#)
- [Code 560](#)
- [Others](#)
- [Views](#)
- [Food](#)
- [Teen Spirit](#)
- [Blogs](#)

[Others](#)

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- [Leisure](#)
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- [Lit.Mus 2014](#)

- [Home](#)

/

- [Bangalore](#)

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- [Other](#)

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- [The smokescreen clears after High Court gives nod to servetobacco-only hookahs in bars](#)

The smokescreen clears after High Court gives nod to servetobacco-only hookahs in bars

Bangalore Mirror Bureau / Updated: Sep 4, 2015, 04:00 IST

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Tobacco-only hookahs are set to be back in restaurants and bars with the Karnataka High Court on Thursday ruling that there is no need for a separate licence for serving hookah in those premises. The Court also ruled that there is no prohibition on usage of tobacco in the hookah.

While hearing a petition filed by Diamond Enterprises, Justice A S Bopanna gave a direction that only tobacco can be used in the hookahs while other drugs or intoxicant substances are strictly prohibited.

The court also directed the police to initiate action against offenders based on credible information by conducting inspections of the places. The petitioner runs a restaurant in Jayanagar 4th T block. The owner of the restaurant approached the court challenging the instructions of jurisdictional assistant commissioner of police of Mico Layout sub-division that a separate license must be obtained to serve hookah to the customers. The petitioner informed the court that when he approached the Bruhat Bangalore Mahanagara Palike (BBMP) to seeking a licence, the officials told him that there is no provision to serve a separate license to serve hookah. The petitioner also appealed before the court to restrain police interference.

After hearing the case, the court ordered that there is no licence required to serve hookah. Although the court's ruling brings much cheer to owners of hookah cafe-joints thronged by the youth, the police say they would have to conduct raids if there is information about the use of narcotics in hookahs. There have been several instances in the recent past when police claimed to have found drugs at hookah joints.

In fact, as recent as last Saturday, the Kaggalipura police raided a hookah joint -- Highway Waterpipe Cafe – near Nelgulli in Ramanagaram, and detained a few youths. According to the police, a few narcotic substances including marijuana were found at the spot. A few weeks ago, the cops raided Black Mug cafe on Bannerghatta Road on similar grounds.

This is not the first time that the hookah issue has come up before the court. In 2012, the Karnataka high court quashed a BBMP health order cancelling licences of hookah bars across the city.

The court had maintained that the "power to cancel licences under Sections 343 and 443 of the Karnataka Municipal Corporations Act, 1976, is a quasi-judicial power which has to be exercised by the commissioner."

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