

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 7TH DAY OF APRIL, 2015

BEFORE

THE HON'BLE MR. JUSTICE A.N.VENUGOPALA GOWDA

CRIMINAL PETITION NO.1070/2015

BETWEEN:

SRI MOHAN SINGH
S/O INDRA SINGH,
AGED ABOUT 43 YEARS,
LAKKUR, MALUR TALUK,
KOLAR DISTRICT – 570 032.

... PETITIONER

(BY SMT. LEELA P. DEVADIGA FOR
SRI A.K. SUBBAIAH, ADV.)

AND:

1. THE STATE OF KARNATAKA
BY WHITEFIELD POLICE STATION,
REPRESENTED BY SPP,
HIGH COURT OF KARNATAKA
BANGALORE – 560 001.
2. SMT. NIRMALA
W/O. NARENDRA SOLANKI,
AGED ABOUT 40 YEARS,
R/AT NO.H-002
GOLDEN STAR APARTMENT,
MAHADEVAPURA,
BANGALORE-560 048.

... RESPONDENTS

(BY SMT. ANITHA R., HCGP FOR R1)

THIS CRL.P. IS FILED UNDER S.482 CR.P.C., PRAYING TO QUASH THE FIR IN CRIME NO.76/2013 IN CHARGE SHEET IN C.C.NO.352/2014 OF WHITE FIELD POLICE STATION, REGISTERED AGAINST THE PETITIONER FOR THE OFFENCE P/U/Ss.420,448 AND 427 R/W 34 OF IPC PENDING BEFORE THE ADDL. CHIEF JUDICIAL MAGISTRATE (A.C.J.M.), BANGALORE.

THIS CRL.P. COMING ON FOR ADMISSION THIS DAY, THE COURT MADE THE FOLLOWING:

ORDER

Heard Smt. Leela P. Devadiga, learned advocate for the petitioner and perused the petition.

2. On the basis of a complaint lodged by the 2nd respondent, first respondent having registered case in Crime No.76/2013 and upon conducting of investigation, having submitted the final report, cognizance was taken and C.C.No.352/2014 was registered. Process having been issued, the petitioner/accused No.2 filed this petition seeking quashing of the entire proceedings pending before the Additional Chief Judicial Magistrate, Bengaluru Rural District, Bengaluru.

3. Since the petitioner has the opportunity to put forth arguments before the learned Magistrate, at the stage of hearing

before charge, at this stage of the matter, I do not find justification to entertain the petition.

In the said view of the matter, petition is disposed of by leaving open all contentions and reserving liberty to the petitioner to address the arguments at the stage of hearing before framing of charge by the learned Magistrate.

I.A.No.1/2015, for stay, is also disposed of as not surviving for consideration.

**Sd/-
JUDGE**

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