

**IN THE HIGH COURT OF KARNATAKA  
DHARWAD BENCH**

Dated this the 5<sup>th</sup> day of April 2017

Before

**THE HON'BLE MR. JUSTICE BUDIHAI R.B.**

Writ Petition No.102466/2017 (GM-RES)

Between

Kirankumar,  
S/o Parameshwarappa Koppad,  
Aged about 25 Years,  
Occ: Driver, R/o. Rattihalli Vilalge,  
Tq: Hirekerur, Dist: Haveri. ...Petitioner

(By Sri. Aravind D.Kulakarni, Adv. for Sri G. K. Hiregoudar,  
Advocate)

A n d

1. State of Karnataka,  
by Rattihalli Police Station,  
Rep. by the State Public Prosecutor,  
High Court of Karnataka,  
Dharwad.
2. Superintendent of Police,  
District Police Officer,  
Haveri District, Haveri.
3. Deputy Inspector General of Police,  
Driver Mechanic Recruitment Committee,  
Karnataka Fire & Emergency Services,  
No.1, A M Road, Bengaluru. ...Respondents

(By Sri Praveen K. Uppar, HCGP for R1-R3)

This Writ Petition is filed under Articles 226 & 227 of the Constitution of India praying to allow this petition and be further pleased to quash the charge sheet filed vide Anneuxre-C and the entire proceedings in Criminal Case No.214/2013 registered for the offences punishable under Sections 143, 147, 148, 332, 353, 504, 506 r/w. 149 of IPC and Section 3 of PDPP Act pending before the Hon'ble Civil Judge and JMFC, Hirekerur and further to quash the impugned order dated 11.07.2013 on the behalf of taking cognizance against the petitioner and issuing summons in the interest of justice and equity vide Annexure-D and further to quash the impugned endorsement/communication No.4 DSB/V.Ri/422/2016 dated 05.07.2016 issued by respondent No.2 produced vide Annexure-J.

This Writ Petition coming on for Preliminary Hearing this day, the Court, made the following:

### **ORDER**

After arguing the matter for some time, the learned counsel appearing for the petitioner made the submission that he may be permitted to withdraw the petition with a liberty to the petitioner to challenge the endorsement as at Annexure-J in an appropriate proceedings.

2. The above submission of the learned counsel for the petitioner is placed on record. In view of the same,

: 3 :

petitioner is permitted to withdraw the petition. All the contentions raised by the petitioner are kept open.

Writ petition is dismissed as withdrawn with liberty as prayed for.

**Sd/-  
JUDGE**

Kms