

IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 27TH DAY OF NOVEMBER, 2015

BEFORE

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

CRIMINAL PETITION NO.201155/2015

BETWEEN:

1. SRI. BASAVARAJ
S/O YAMANAPPAGOUDA BIRADAR
AGED ABOUT 31 YEARS
OCC: VILLAGE ACCOUNTANT
2. SMT. BASAMMA
W/O YAMANAPPAGOUDA BIRADAR
AGED ABOUT 52 YEARS
OCC: HOUSEHOLD WORK

PETITIONERS 1 AND 2 ARE
R/O HUNASAGI
TQ. SURPUR, DIST. YADGIR- 585 215.
3. SMT. ASHALATA
W/O BASAVARAJ MENSINAKAI
AGED ABOUT 27 YEARS,
OCC: HOUSEHOLD WORK
R/O # 314, 2ND CROSS, 4TH STAGE
KHB COLONY, BANGALORE- 586 101.

... PETITIONERS

(BY SRI S. S. MAMADAPUR, ADV.)

AND:

1. THE STATE OF KARNATAKA
REP BY ITS STATE PUBLIC PROSECUTOR
ADVOCATE GENERAL'S OFFICE
HIGH COURT BUILDING
KALABURAGI- 585 101.
2. SMT.ASHWINI @ ANNAPURNA
W/O BASAVARAJ BIRADAR
AGED ABOUT 22 YEARS,
OCC:HOUSEHOLD WORK,
R/O. CHIMALAGI TQ:B.BAGEWADI
DIST:VIJAYAPUR-586203

... RESPONDENTS

(BY SRI MAQBOOL AHAMAD, HCGP)

THIS CRIMINAL PETITION IS FILED UNDER SECTION 482 OF CR.P.C PRAYING TO QUASH THE FIR IN CRIME NO. 182/2015 OF NIDAGUNDI POLICE STATION REGISTERED FOR THE OFFENCES P/U/S 323, 498(A), 504, 506 R/W 34 OF IPC, IN THE INTEREST OF JUSTICE AND EQUITY.

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

O R D E R

Seeking quashing of the investigation of a case registered by the respondent No.1, in Crime No.182/2015, at the behest of respondent No.2, for the offences punishable under Ss. 323, 498(A), 504, 506 R/W 34 of

IPC, the petitioners, arraigned as accused in the said case, have filed this petition under S.482 Cr.P.C.

2. Heard learned advocates on both sides and perused the petition.

3. Since the matter is still under investigation, it is not appropriate to entertain this petition filed under S.482 Cr.P.C. The I.O. has a duty to conduct a fair investigation by taking into consideration the relevant circumstances and submit the final report. It is only when the final report is submitted and is found to be against the petitioners and suffers from any legal infirmity, the petitioners can seek remedy and not at this stage.

In the said view of the matter, the petition is disposed of.

All the contentions are left open.

Sd/-
JUDGE

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