

Dr Rodhe and Ors vs Sukeerta and Anr

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Court : Karnataka Orders

Decided On : Apr-28-2025

Judge : S Rachaiah

Appeal No. : CRL.P/200341/2022

Appellant : Dr Rodhe and Ors

Respondent : Sukeerta and Anr

Judgement :

-1- IN THE HIGH COURT OF KARNATAKA, KALABURAGI BENCH DATED THIS THE 28TH DAY OF APRIL, 2025 BEFORE THE HON'BLE MR. JUSTICE S RACHAIAH CRIMINAL PETITION NO.200341 OF 2022 (482(Cr.PC)/528(BNSS)) BETWEEN:

1. DR. RODHE W/O DR. JAYARAJ, AGE: 29 YEARS, OCC: DOCTOR,

2. ELIZABATH W/O BHOJAPPA METAGE,

AGE: 64 YEARS, OCC: HOUSEWIFE, Digitally signed 3. BHOJAPPA METGE S/O SAMBANNA METAGE, by RENUKA AGE: 67 YEARS, OCC: SOCIAL WORKER, Location: HIGH COURT OF R/O H.NO.8-6-388/1, ELIZABATH NIVAS, KARNATAKA KHB COLONY, BEHIND MEDICAL COLLEGE,

4. GEORGE FERNADES S/O BHOJAPPA METAGE, AGE: 37 YEARS,

5. FRANKLIN S/O BHOJAPPA METAGE, AGE: 34 YEARS, OCC: BUSINESSMAN, -2-

6. MARY W/O ABRAHAM JOHN (D/O BHOJAPPA), AGE: 41 YEARS, OCC: HOUSEHOLD,

7. MARTHA D/O BHOJAPPA, AGE: 39 YEARS, OCC: HOUSEWIFE, R/O NEAR FIRE STATION, BIDAR.

8. MARIAMMA AGE: 82 YEARS, OCC: HOUSEHOLD, R/O EDEN COLONY, PETITIONERS (BY SRI SHIVAPUTRA S. UDABALKAR, ADVOCATE) AND:

1. SUKEERTA W/O LATE BHASKER, AGE: 67 YEARS, OCC: RETIRED TEACHER, R/O PLOT NO.1, NEAR HANUMAN TEMPLE, SHIVNAGAR (NORTH), BIDAR-585401.

2. THE STATE OF KARNATAKA THROUGH,

CHILD DEVELOPMENT PROJECT OFFICER, DEPARTMENT OF WOMEN AND CHILDREN DEVELOPMENT, MAILUR ROAD, BIDAR- 585401, REPRESENTED BY ADDL. SPP, HIGH COURT OF KARNATAKA, KALABURAGI BENCH.

RESPONDENTS (BY SRI JAIRAJ K. BUKKA, ADVOCATE FOR R1; SRI JAMADAR SHAHABUDDIN, HCGP FOR R2) -3- THIS CRL.P. IS FILED U/S.482 OF CR.P.C. PRAYING TO, ALLOW THIS PETITION AND TO QUASH ALL THE PROCEEDINGS IN CRL.MISC.NO.1078/2020 IN THE COURT OF II ADDL. CIVIL JUDGE AND JMFC, BIDAR CIRCLE, SO FAR AS THE RESPONDENT NOS. 1 AND 8 PETITIONERS HEREIN ARE CONCERNED FOR THE ALLEGED OFFENCES PUNISHABLE UNDER SECTIONS 12(1), 18 AND 22 OF DV ACT. THIS PETITION, COMING ON FOR ORDERS, THIS DAY,

ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE S RACHAIAH

ORAL ORDER

(PER: HON'BLE MR. JUSTICE S RACHAIAH) Learned counsel for the petitioners has filed a memo seeking leave of this Court to withdraw the petition. Learned counsel for respondent No.1 Sri Jairaj K. Bukka submits that as against the order passed by the Trial Court, the appeal lies before the Sessions Court. However, by passing the procedure as contemplated under the law, this petition is filed which is not maintainable. -4- Having considered the said submission and considering the memo, the petition is dismissed as withdrawn with liberty to approach the Sessions Court. Sd/- (S RACHAIAH) JUDGE RSP List No.: 1 SI No.: 1 CT:PK

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