

Jithendra Kumar vs State by

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Court : Karnataka Orders

Decided On : Jul-02-2025

Judge : S.R.Krishna Kumar

Appeal No. : WP/9313/2025

Appellant : Jithendra Kumar

Respondent : State by

Judgement :

-1-

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 2ND DAY OF JULY, 2025 BEFORE THE HON'BLE
MR. JUSTICE S.R.KRISHNA KUMAR WRIT PETITION NO. 9313 OF
2025 (GM-RES) BETWEEN:

1. JITHENDRA KUMAR S/O KAALESHWAR PRASAD AGED ABOUT
32 YEARS R/AT KUMAR BOYS PG, NEAR GANESHA TEMPLE,
BHAGAVATHI LAYOUT, HULIMAVU BENGALURU - 560 076.
2. CHANDAN KUMAR

S/O RAJENDRA PRASAD AGED ABOUT 37 YEARS R/AT NO.156/1
CHAITANYA NEST, HULIMAVU B.G. ROAD BENGALURU - 560 076.
PETITIONERS (BY SRI. PRAVEEN KUMAR HIEMATH, ADVOCATE)
AND: Digitally signed by CHANDANA

BM 1. STATE BY Location: High

BENGALURU - 560 001.

2. SRI RAMAKRISHNA P.C. NO. 20073 HULIMAVU POLICE STATION
CAVE TEMPLE ROAD MAIN BUS STOP HULIMAVU BENAGLURU -
560 076. RESPONDENTS (BY SRI. B.N. JAGADEESHA, ADDL.SPP) -
2- THIS W.P IS FILED UNDER ARTICLES 226 AND 227 READ WITH

SECTION 482 OF CPC PRAYING TO QUASH THE FIR DTD
03.01.2025 AND ALL FURTHER PROCEEDINGS IN CRIME NO.
02/2025 UNDER SEC 112, 318(4), 319(2) OF BNS R.W SEC 66C AND
66D OF I.T ACT, 2000 PENDING ON THE FILE OF IX ADDL. CHIEF
JUDICIAL MAGISTRATE AT BENGALURU (9TH ACJM), PRODUCED
AT ANNEX-A QUASH THE STATEMENT OF INFORMATION DTD
03.01.2025 FILED BY R-2 AT ANNEX-B AND ETC.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER

WAS MADE THEREIN AS UNDER: CORAM: HON'BLE MR. JUSTICE
S.R.KRISHNA KUMAR

ORAL ORDER

After arguing the matter for some time, learned counsel for the petitioners invited my attention to the interim order dated 28.03.2025 passed by this Court in order to point out that while direction issued to the respondent - Investigating Officer to release the mobile phones seized from the petitioners, was complied with by the 2nd respondent and has released the mobile phones in favour of the petitioners but the direction to the Bank to defreeze the account of the petitioners has not been complied with by them even till today and the present petition may be

disposed of directing the respondents to intimate the Bank to defreeze the accounts of the petitioners immediately by reserving liberty in favour of the petitioners to approach this Court once again after filing of the charge sheet / final report. -3-

2. Learned Addl.SPP for the respondents submits that the petition may be disposed of reserving liberty in favour of the respondents to proceed further with the investigation in accordance with law.

3. The details of the Bank accounts which are directed to defreeze in this order are as under:- SL. BANK ACCOUNT AND NAME BRANCH NAME NO.

1. JITENDRA KUMAR RBL BANK, Account No. 4TH PHASE JP NAGAR

2. JITENDRA KUMAR HDFC bank Account No. HULIMAVU BRANCH 50100458529637

3. JITENDRA KUMAR ICICI BANK Account No. VIJAYANAGAR BRANCH

4. VIKASH KUMAR (brother of HDFC BANK Petitioner No.1) HULIMAVU BRANCH 50100458530042

5. VIKASH KUMAR (brother of RBL BANK Petitioner No.1) 4TH PHASE JP NAGAR

6. GUDDU KUMAR PUNJAB NATIONAL (nephew of Petitioner No.1) BANK, Account No. JAMHATA (GAYA), BIHAR 1687008700002427

7. GUDDU KUMAR PUNJAB NATIONAL (nephew of Petitioner No.1) BANK, Account No. JAMHATA (GAYA), BIHAR 1687000100251490

8. SATYENDRA KUMAR AXIS BANK (brother of Petitioner No.1) 922010007290642 -4-

9. KRISHNA DEVI (mother of HDFC BANK Petitioner No.2) 50100538282476

4. In view of the aforesaid facts and circumstances and the submissions made by both sides, I am of the view that the petition may be disposed of by issuing certain

directions in this regard.

5. In the result, I pass the following:-

ORDER

(i) Petition stands disposed of.

(ii) The respondents to take necessary steps to defreeze the aforesaid accounts of the petitioners including intimating the Bank in this regard immediately without any further delay.

(iii) Liberty is reserved in favour of the respondents - police authorities to proceed further with the investigation and file a final report / charge sheet strictly in accordance with law.

(iv) Liberty is also reserved in favour of the petitioners to approach this Court once again after filing of the final report / charge sheet.

(v) The petitioners shall co-operate with the ongoing investigation. -5-

(vi) Petitioners are directed to execute the indemnity bond in

favour of the respondent - Investigating officer within a period of two weeks from today, who shall consider the same and give effect to this order and defreeze the aforesaid Bank accounts thereafter.

(vii) All rival contentions between the parties are kept open and no opinion is expressed on the same. Sd/- (S.R.KRISHNA KUMAR) JUDGE Srl.

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