

Jeevan K vs State of Karnataka

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Court : Karnataka Orders

Decided On : Feb-27-2025

Judge : S.R.Krishna Kumar

Appeal No. : WP/35765/2024

Appellant : Jeevan K

Respondent : State of Karnataka

Judgement :

-1-

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF FEBRUARY, 2025 BEFORE THE
HON'BLE MR JUSTICE S.R.KRISHNA KUMAR WRIT PETITION NO.
35765 OF 2024 (GM-RES) BETWEEN:

JEEVAN K (WRONGLY MENTIONED IN FIR AS JIVAN K) AGED
ABOUT 22 YEARS SON OF KENCHEGOWDA.M RESIDING AT # 15,
8TH MAIN ROAD 1ST G CROSS, 4TH BLOCK 3RD CROSS,
VIVEKANANDA ROAD SBI STAFF, COLONY,
BASAVESHWARANAGAR BANGALORE NORTH, BANGALORE - 560

079. (WRONGLY MENTIONED IN FIR AS NO.90, 1ST MAIN ROAD NEAR AMBAMESHWARI TEMPLE KAMAKSHIPALYA, BANGALORE RAMANAGARA, KARNATAKA) PETITIONER (BY SRI. AIYAPPA K G.,ADVOCATE)

AND:

Digitally 1. STATE OF KARNATAKA signed by

High Court of Karnataka 2. CHANDU RESIDING AT ANJANAPURA VILALGE KALIANCHA HOBLI, RAMANAGARA - 562 159.

3. NAGESH

4. MURULI RESPONDENTS (BY SRI.THEJESH.P, HCGP FOR R-1 NOTICE TO R-2 TO R-4 ARE D/W VIDE ORDER DATED: 27.02.2025) - 2- THIS W.P IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA READ WITH SECTION 528 OF BNSS, 2023

PRAYING TO CALL FOR THE RELEVANT RECORDS AND QUASH ORDER

DATED 06/12/2024 IN CR. NO. 226/2024 PASSED BY THE PRINCIPAL SENIOR CIVIL JUDGE AND CJM, RAMANAGARA (ANN-C).

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

In this petition, petitioner has sought for the following reliefs:-

1. Call for the relevant records;
2. Issue a Writ, in the nature of Certiorari or

any other appropriate writ to quash order

dated 06.12.2024 in Cr. No. 226/2024 passed by the Principal Senior Civil Judge & CJM, Ramanagara (ANNEXURE - C).

3. Issue a Writ in the form of Mandamus directing Respondent No.1 police to secure the presence of the Respondent Nos. 2 - 4 and to remand them back to Judicial Custody.

4. Grant any other Order of direction as this

Hon'ble Court may deem fit in light of the facts

and circumstances of the case, in the interest of justice and equity.

2. Heard learned counsel for the petitioner and learned counsel for the 1st respondent - HCGP and perused the material -3- on record. For the order proposed, notice to respondents 2 to 4 is dispensed with.

3. Though several contentions have been urged by the

petitioner in support of his claim in the present petition, having regard to the fact that the 1st respondent - Police are conducting investigation in Crime No.226/2024, without expressing any opinion on the merits / demerits of the rival contentions, I deem it just and appropriate to dispose of this petition directing the 1st respondent to complete the investigation and file a final report as expeditiously as possible and in accordance with law. It is further directed that in the event, the 1st respondent - Police file the charge sheet pursuant to Crime No.226/2024, the learned Magistrate shall commit the case to the Sessions Court, who shall issue notice to respondents 2 to 4 and proceed further in accordance with law and as expeditiously as possible.

4. Subject to the aforesaid directions, petition stands disposed of. Sd/-
(S.R.KRISHNA KUMAR) JUDGE Srl.