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Mr. Ummer Farooq vs the State

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Court : Karnataka Orders

Decided On : Feb-05-2024

Judge : K.Natarajan

Appeal No. : CRL.P/1764/2023

Appellant : Mr. Ummer Farooq

Respondent : The State

Judgement :

-1-

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 5TH DAY OF FEBRUARY, 2024 BEFORE THE HON'BLE MR JUSTICE K.NATARAJAN CRIMINAL PETITION NO. 1764 OF 2023 C/W CRIMINAL PETITION NO. 2454 OF 2023 IN CRL.P NO.1764/2023

1. MR. UMMER FAROOQ S/O BAVA, AGED ABOUT 37 YEARS, R/AT SUNDARI BAGH, MASTHIKATTE, ULLALA VILLAGE, MANGALORE TALUK - 575 020.

2. MR. HARISHCHANDRA S/O MOGAYYA ACHARYA, Digitally signed by AGED ABOUT 50 YEARS, VEDAVATHI A K Location: High R/AT VAIDHIYANATHA TEMPLE, Court of Karnataka ROAD ULLAL, ULLAL, MANGALORE CITY MANGALORE - 575 020. PETITIONERS (BY SRI. RENSPRE PRITHESH

D'SOUZA, ADVOCATE)

1. THE STATE

BY ULLAL POLICE STATION, -2- REPRESENTED BY ITS STATE PUBLIC PROSECUTOR, W/O ASHOK, AGED ABOUT 49 YEARS, R/AT. SHREYAS KADRI ROCK, KADRI KAMBLA ROAD, MANGALORE - 575 003. OF CR.P.C. PRAYING TO QUASH THE FIR AGAINST THE PETITIONER IN CR.NO.148/2022 OF ULLAL P.S., FOR THE OFFENCE P/U/S.120-B, 406, 420, 465, 468, 471 R/W SEC.34 OF IPC PENDING ON THE FILE OF THE Ist ADDITIONAL CIVIL JUDGE (Sr.Dn.) AND CJM COURT AT MANGALURU. IN CRL.P NO.2454/2023 MR. DEEPAK K. VASANI S/O LATE KANTHILAL R, AGED ABOUT 55 YEARS, R/AT NO.18-3-A54/6, VINAYAKA KRIPA, N.G.ROAD, OPO. ATHAVARA, MANGALURU - 575 001. PETITIONER (BY SRI. RAJARAMA SOORYAMBAIL, ADVOCATE) -3-

1. THE STATE OF KARNATAKA REPRESENTED BY ULLAL POLICE STATION, REPRESENTED BY SPP, W/O ASHOK KUMAR, AGED ABOUT 50 YEARS, SHREYASH, KADRI PARK, KADRI KAMBALA, KADRI ROAD, MANGALORE - 575 004.

OF CR.P.C. PRAYING TO QUASH THE FIR IN CRIME NO.148/2022 ON THE FILE OF 1ST ADDL. CIVIL JUDGE AND CJM COURT, MANGALORE CITY, MANGALORE FOR THE OFFENCES P/U/S.120B, 406, 420, 465, 468, 471 R/W SEC.34 OF IPC, AND GRANT SUCH OTHER ORDER OR DIRECTION AS THIS HONBLE COURT MAY BE DEEMS FIT TO GRANT IN THE

FACTS AND CIRCUMSTANCES OF THE CASE.

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

ORDER

Learned counsels for the petitioners in both petitions submit that the police have already filed charge sheet and seek permission of this Court to withdraw the

petitions with liberty to file a fresh petition challenging the charge sheet. -4-

2. Permission is granted.

3. Accordingly, both the criminal petitions are dismissed as withdrawn reserving liberty as prayed for. Sd/- JUDGE CS List No.: 1 Sl No.: 57 CT:SK

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