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Sri Premkumar vs State of Karnataka

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Court : Karnataka

Decided On : Nov-19-2024

Judge : M.Nagaprasanna

Appeal No. : WP/12826/2024

Appellant : Sri Premkumar

Respondent : State of Karnataka

Judgement :

-1-

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 19TH DAY OF NOVEMBER, 2024 BEFORE THE HON'BLE MR JUSTICE M.NAGAPRASANNA WRIT PETITION NO. 12826 OF 2024 (GM-RES) BETWEEN: SRI PREMKUMAR S/O LATE M G GIRIYAPPA, AGED ABOUT 60 YEARS, R/AT D.NO.174, 3RD CROSS, 3RD STAGE, RAJEEV NAGARA, DEVANURU BADAVANE, MYSURU-570 008. REP.BY ITS GPA HOLDER MR. ZABIULLA, S/O LATE ATHA UR REHAMAN, AGED ABOUT 39 YEARS, R/AT D. NO.269, R S NAIDU NAGARA MAIN ROAD, KESARE, N R MOHALLA, MYSURU-570 007. PETITIONER (BY SRI. SHANKARANARAYANA

BHAT B.,ADVOCATE) Digitally signed by KAVYA G AND: Location: High Court of Karnataka

1. STATE OF KARNATAKA REP. BY ITS SECRETARY TO THE DEPARTMENT OF HOME VIDHANA SOUDHA, BENGALURU-560 001.

2. VIVEKANANDA FATHERS NAME NOT KNOWN TO THE PETITIONER CIRCLE INSPECTOR V V PURAM POLICE STATION MYSURU CITY-570 002. -2-

3. RAGHUNATH K., S/O LATE K V KRISHNA RAO, AGED ABOUT 57 YEARS R/AT NO.D/6A, TEMPLE ROAD, V.V. MOHALLA, MYSURU CITY-570 005. RESPONDENTS (BY SRI. RANGASWAMY R HCGP FOR R1) THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227

OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE FIR REGISTERED BY THE VV PURAM POLICE IN CRIME NO. 0021/2024 DATED 20.04.2024 VIDE ANNEXURE-D AND FURTHER DIRECTED RESPONDENT POLICE NOT TO REGISTER ANY CRIMINAL CASE IN RESPECT OF SCHEDULE PROPERTY

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

WAS MADE THEREIN AS UNDER: CORAM: HON'BLE MR JUSTICE M.NAGAPRASANNA

ORAL ORDER

Learned HCGP on instructions would submit that the charges have been framed and the petition would not be entertainable at this juncture.

2. In the light of the charges being framed, the entertainment of the petition will run foul of the judgment of the Apex Court in the case of MINAKSHI BALA V. SUDHIR KUMAR1.

(1994) 4 SCC 142 -3-

3. Reserving liberty to the petitioner to avail of such remedy, as is available in law, the petition stands disposed. Sd/- (M.NAGAPRASANNA) JUDGE RU List No.: 1 Sl No.: 380

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