



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 12TH DAY OF JANUARY, 2026

BEFORE

THE HON'BLE MRS. JUSTICE M G UMA

CRIMINAL PETITION NO. 3099 OF 2021

BETWEEN:

SMT. B.C. SHANTHA
W/O C.P. BADAMI
AGED ABOUT 67 YEARS
RESIDING AT BADAMI BUILDINGS
OPP. SANGAM THEATRE,
RAILWAY STATION ROAD,
RANIBENNUR - 581 115

...PETITIONER

(BY SRI. C.S. HIREMATH, ADVOCATE)

AND:

1. STATE BY
POLICE INSPECTOR
BASAVESHWARANAGARA
POLICE STATION, REPRESENTED
BY STATE PUBLIC PROSECUTOR
HIGH COURT BUILDINGS
BENGALURU - 560 001
2. SMT. SUNITA PATIL
W/O LATE P H PATIL
AGED ABOUT 40 YEARS
3. MISS SANJANA P PATIL
D/O LATE P H PATIL
AGED ABOUT 27 YEARS
4. MISS SAMEEKSHA PATIL
D/O LATE P H PATIL
AGED ABOUT 24 YEARS

ALL ARE RESIDENTS OF NO.351/B,
2ND STAGE, WEST OF CHORD ROAD,





MAHALAKSHMIPURAM
BENGALURU - 560 086
NOW RESIDING AT #514,
1ST D CROSS, 3RD STAGE, 4TH BLOCK,
BASAVESHWARANAGARA
BENGALURU - 560 079

...RESPONDENTS

(BY SRI. RANGASWAMY .R., HCGP FOR R1

SMT. KRUTIKA RAGHAVAN, ADVOCATE FOR R2-4)

THIS CRL.P IS FILED U/S.482 CR.P.C PRAYING TO ISSUE DIRECTIONS TO THE HONOURABLE COURT TO DISPOSAL OFF THE CASE IN C.C.NO.19101/2013 WITHIN 6 MONTHS PENDING ON THE FILE OF IV ADDL.C.M.M., BENGALURU.

THIS CRL.P, COMING ON FOR ADMISSION, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MRS. JUSTICE M G UMA

ORAL ORDER

The petitioner being accused No.3 in CC No.19101/2013 on the file of the IV Additional Chief Metropolitan Magistrate, Bengaluru, registered for the offences punishable under Sections 420, 405, 441, 463, 120A R/w Section 34 of the Indian Penal Code (for short 'the IPC') is seeking direction to the Trial Court to dispose of the criminal case expeditiously.

2. Heard Sri. C.S.Hiremath, learned counsel for the petitioner and Sri. Rangaswamy R., learned High Court Government Pleader for respondent No.1. Smt. Krutika



Raghavan, learned counsel for respondent Nos.2 to 4 and perused the materials on record.

3. In view of the contentions urged by learned counsel for both the parties, the point that would arise for my consideration is:

"Whether the petitioner has made out any grounds of urgency to allow the petition?"

My answer to the above point is in the 'Affirmative' for the following:

REASONS

4. Respondent Nos.2 to 4 have filed the private complaint in PCR No.18818/2007 against accused Nos.1 to 7 alleging commission of the offences as referred to above. Learned Magistrate took cognizance of the offence, summoned the accused by registering CC No.19101/2013. Petitioner being accused No.3 contends that Trial Court being unmindful of the fact that the case is of the year 2013, has not bothered to dispose off the same and has repeatedly issued summons to co-accused.



5. It is stated that accused Nos.5 and 7 could not be served as they are said to be the residents of the United States of America. In spite of that, the Trial Court has not taken any steps to proceed with the matter.

6. Learned counsel for respondent Nos.2 to 4 and the learned High Court Government Pleader for respondent No.1 supported the contention of petitioner-accused No.3 and contend that the Trial Court could split-up the case against accused Nos.5 and 7, who are not yet traced and could proceed with the other accused, who are already served.

7. I find considerable force in the contention taken by the learned counsel for the petitioner and learned counsel for the respondents. The complaint is of the year 2013 and the criminal case came to be registered in the same year. Petitioner being accused No.3 and some other co-accused were served and they are made to appear before the Court, while accused Nos.5 and 7 are still not served with summons. The Trial Court is required to apply its mind and proceed with the matter against the accused, who are already served by splitting up the matter. No such steps are taken by the Trial Court, which



shows non-application of mind. Therefore, the Trial Court is directed to take appropriate steps to go on with the trial and to dispose of the matter expeditiously at least within a period of eight months.

8. Accordingly, I answer the above point in the **affirmative** and proceed to pass the following:

ORDER

(i) The Criminal Petition is ***allowed***.

(ii) The Trial Court is directed to take appropriate steps to hold trial against the petitioner and other accused who are already served, expeditiously at least within eight months from the date of receipt of copy of this order.

It is needless to say that the parties to the criminal case are required to co-operate with the Trial Court in early disposal of the matter.

**SD/-
(M G UMA)
JUDGE**

BH
CT:VS
List No.: 1 Sl No.: 31