



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 16TH DAY OF NOVEMBER, 2023

BEFORE

THE HON'BLE MR JUSTICE V SRISHANANDA

CRIMINAL PETITION No.7657 OF 2023

BETWEEN:

CHIKKAGUNDAPPA

...PETITIONER

(BY SRI. ABHINAY Y T., ADVOCATE)

AND:

STATE OF KARNATAKA
BY DODDABELAVANGALA POLICE,
BANGALORE RURAL DISTRICT,
REPRESENTED BY THE STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
BENGALURU-560001

...RESPONDENT

(BY SMT. ANITHA N GIRISH, HCGP)

THIS CRL.P IS FILED U/S.439 OF CR.P.C PRAYING TO ENLARGE THE PETITIONER ON BAIL S.C.NO.10016/2022 (CR.NO.25/2022)OF DODDABELAVANGALA P.S., BENGALURU CITY FOR THE OFFENCE P/U/S 498A,306 R/W 34 OF IPC ON THE FILE OF THE IV ADDL.DISTRICT AND SESSIONS JUDGE, DODDABALLAPURA BENGALURU RURAL DISTRICT AND ETC.,



THIS PETITION, COMING ON FOR FINAL HEARING, THIS DAY, THE COURT MADE THE FOLLOWING:

ORDER

Heard Sri Abhinay Y.T., counsel for petitioner and Smt.Anitha N.Girish, learned High Court Government Pleader.

2. This is the successive bail application filed by the petitioner. Earlier bail application filed by the petitioner was permitted to be withdrawn at the request of the counsel for petitioner.

3. In the case on hand, taking note of the gravity of the offence alleged against the accused/petitioner which is punishable under Section 498A and 306 of the Indian Penal Code, this Court did not exercise its discretionary power in granting the bail and at that juncture, petitioner withdrew the bail petition.

4. Though there was a direction to dispose of the Sessions Case within prescribed time i.e., 31st January 2023, it was contended before this court that Trial itself has not commenced. Therefore, this Court directed the explanation to



be offered by Trial Court in not obeying the directions of this Court.

5. The learned Trial Judge has sent a detailed reply along with necessary documents to explain the delay. However, learned Trial Judge has sought for three months time to conclude the Trial.

6. In the case on hand, deceased is none other than the wife of the petitioner herein who committed suicide in the matrimonial home. Material on record also depict that the petitioner had immediately carried his wife to the hospital and she died in the hospital.

7. Taking note of these aspects of the matter, it is just and necessary for this Court to direct the Trial Court to conclude the Trial positively, on or before 31st January 2024.

8. Accordingly, the following:

ORDER

(i) Bail request is rejected for the time being.



- (ii) Further, the Trial is directed to be expedited and same shall be concluded positively on or before 31st January 2024.

- (iii) Needless to emphasize that prosecution and defence shall cooperate for early disposal of the case.

- (iv) If there is no disposal of the Sessions case on or before 31st January 2024, petitioner is at liberty to renew his request for grant of bail.

Ordered accordingly.

**Sd/-
JUDGE**

kcm
List No.: 1 Sl No.: 55