

IN THE HIGH COURT OF KARNATAKA

GULBARGA BENCH

DATED THIS THE 27<sup>TH</sup> DAY OF AUGUST 2014

BEFORE

THE HON'BLE MR.JUSTICE N.ANANDA

**CRIMINAL PETITION No.200533/2014**

**BETWEEN:**

Dr. S. Vadiraj S/o Sheshagiri Rao  
Age: 67 years, Occ: Asst. Professor in OBG,  
Now working in Basaveshwar Medical  
College, Chitrdurga – 577 501.

...Petitioner

**(By Sri Shivakumar Kalloor, Advocate)**

**AND:**

1. State of Karnataka  
P.S. Netaji Nagar, Raichur  
Represented by  
Addl. State Public Prosecutor,  
High Court of Karnataka  
Gulbarga Bench – 585 101.
2. Basawaraj s/o Rajshekhar  
Occ: Govt. Employee  
R/o H.No.1-4-1028/179  
IDSMT Layout, Raichur – 584 101.

... Respondents

**(By Sri S.S. Aspalli, HCG, for R1  
R2 is served)**

This Criminal Petition is filed under Section 482 of Cr.P.C. praying to allow the Criminal Petition and set aside the impugned order dated 26.05.2014 passed by the Chief Judicial Magistrate Raichur in C.C.No.04/2008, rejecting the application U/S. 239 of Cr.P.C. and allow the application for discharge filed by the petitioner and also quash the proceedings on the file of Chief Judicial Magistrate Raichur in C.C.No.04/2008 in so far it relates to the petitioner in concerned.

This Petition coming on for Admission this day, the Court made the following:

**ORDER**

When the matter is taken up for hearing, the learned counsel for petitioner would submit that the petition be dismissed in view of commencement of trial before the trial court.

The submission is recorded.

2. The petition is dismissed.

**Sd/-  
JUDGE**

swk