

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 28th DAY OF NOVEMBER 2014

BEFORE

THE HON'BLE MR. JUSTICE A.V.CHANDRASHEKARA

CRIMINAL PETITION No.6877/2014

BETWEEN:

Harisha s/o late Rangegowda
Aged about 40 years
r/o Chikkayaraganalu
Gandasi Hobli, Arasikere
Taluk, Hassan
District – 573 119.

Petitioner

(By Sri Ravindra B Deshpande, Adv.)

AND:

The State of Karnataka,
Gandasi Police Station-573 119.

Respondent

(By Sri. B. Visveshwaraiah, HCGP)

This Criminal Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.126/2014 of Gandasi Police Station, Hassan District.

This Criminal Petition coming on for orders this day, the Court made the following:-

ORDER

Petitioner is the sole accused in a case bearing Crime No.126/2014 on the file of respondent- police for the offences punishable under Sections 498A, 302 of IPC. Charge sheet has been filed after concluding the investigation. The matter relates to the death of Manjula, wife of this petitioner under unnatural circumstances. Her statement was recorded in Hassan Government Hospital on 26.4.2014 at 10.00 a.m. There was serious allegation against this petitioner having set her on fire by pouring kerosene. It has now become admissible evidence under Section 32 of Evidence Act being dying declaration. It is too premature to disbelieve the contents of the same. Hence, the petitioner is not to be released at this stage by invoking exercise vested under Section 439 of Cr.PC. However, he is at liberty to approach this Court after material witnesses are examined by the concerned court.

Petition is dismissed with the above observation .

**Sd/-
JUDGE**

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