

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF JUNE, 2016

BEFORE

THE HON'BLE MR. JUSTICE K.N.PHANEENDRA

CRIMINAL PETITION NO.2734 OF 2016

BETWEEN:

K. NARAYAN
S/O KUPPUSWAMY,
AGED 46 YEARS
#3, NEAR VARNA PROVISION STORE,
MUNIREDDY LAYOUT,
NEAR RAJAREJESWARI SCHOOL,
GARVE BHAVI PALYA,
BANGALORE. ... PETITIONER.

(By Sri. N.R.KRISHNAPPA, ADVOCATE)

AND:

THE STATE BY MADIWALA POLICE
REPRESENTED BY SPP,
SPP OFFICE,
HIGH COURT BUILDING,
BANGALORE-560 001. ... RESPONDENT.

(By Sri. S. VISHWAMURTHY, GOVERNMENT PLEADER)

THIS CRL.P IS FILED UNDER SECTION 439 CR.P.C
PRAYING TO ENLARGE THE PETR. ON BAIL IN
(S.C.NO.1463/2010) CR.NO.1007/2010
(C.C.NO.48467/2010) OF MADIVALA P.S., BENGALURU
CITY FOR THE OFFENCE P/U/S 302 OF IPC.

THIS CRIMINAL PETITION COMING ON FOR ORDERS
THIS DAY, THE COURT MADE THE FOLLOWING:-

O R D E R

Heard the learned counsel for the petitioner.

Perused the records.

2. The petitioner – accused is charged with an offence punishable under Section 302 of the Indian Penal Code, 1860 for having committed the murder of his wife.

3. On looking into the records, it is seen that the trial has already been commenced in the year 2012 itself. It appears that for a period of four years, the trial has not been concluded. The learned counsel fairly admits that he has also made certain application for recalling of certain witness. But that does not mean to say that the trial has to be prolonged for such a period of four years after commencement of the trial. Under the above said circumstances, I am of the opinion that it is a fit case where the court has to issue directions to

the Trial Court to dispose of the said case within a stipulated period of time, as the accused has been languishing in jail since six years.

4. Though the learned counsel tried to persuade this court with reference to the motive involved in this particular case, I do not want to express my opinion as regards the merits of the case, as it virtually amounts to appreciation of evidence on record. Therefore, I pass the following order:

The petition is dismissed but however, the Trial Court is hereby directed to take up the matter on a day-to-day basis and dispose of the case as expeditiously as possible, not exceeding three months from the date of receipt of a copy of this order.

**Sd/-
JUDGE**

KS