

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 31ST DAY OF OCTOBER 2018

BEFORE

THE HON'BLE MR. JUSTICE P.S.DINESH KUMAR

CRIMINAL PETITION NO.7334/2018

BETWEEN:

1. RAJU @ RAJENDRA S. K.
S/O SHANKARAPPA,
AGED ABOUT 41 YEARS
R/AT.#99, SARALA NILAYA,
2ND MAIN ROAD SUBBANNA GARDEN,
VIJAYANAGARA,
BENGALURU-560040.
2. PRABHU @ PRABHUSHANKAR
S/O.LESHAPPA NEELAGUNDA,
AGED ABOUT 41 YEARS
R/AT NO.23/TF-1, 7 HILLS
5TH CROSS, PRASHANTHNAGAR,
BENGALURU-560079.
3. HAMPE LINGAIAH
S/O.THIPPAIAH,
AGED ABOUT 46 YEARS
R/AT NO.51, GROUND FLOOR,
1ST MAIN, N.T.ROAD LAYOUT,
R.T.NAGARA,
BENGALURU-560026.
4. SURENDRA SINGH
S/O CHANDANSINGH,
AGED ABOUT 35 YEARS

R/AT, 44, 2ND FLOOR,
VENKATADRI PLAZA,
M.M.LAIN, J.M.ROAD,
BENGALURU-560002.

5. UTTAM KUMAR R.
S/O RIKHAB CHAD JAIN,
AGED ABOUT 43 YEARS
R/AT NO.950, KHAN GALLI,
CHAMRAJAPET,
BENGALURU-560010.
6. LALITH KUMAR
S/O.GAUTHAM CHAND,
AGED ABOUT 33 YEARS
R/AT.NO.157, 2ND MAIN,
4TH CROSS, CHAMRAJAPET,
BENGALURU-560010
7. CHANDREGOWDA
S/O.NANJEGOWDA,
AGED ABOUT 59 YEARS
R/AT.NO.99, 11TH CROSS,
KEB ROAD, ANJANAPURA,
BENGALURU-560091.
8. NAGARAJ
S/O.G.D.HANUMANTHAIH,
AGED ABOUT 42 YEARS
R/AT NO.67, 3RD CROSS,
3RD MAIN, KATRIGUPPE EAST,
BANASHANKARI 3RD STAGE,
BENGALURU-560085.
9. B S REVANARADHYA
S/O.SREEKANTARADHYA,
AGED ABOUT 50 YEARS
NO.19, 9TH 'D' MAIN,
PIPELINE ROAD, VIJAYANAGARA,
BENGALURU-560040.

10. SANTHOSH KUMAR
S/O YALAPPA MUGABASAVA,
AGED ABOUT 35 YEARS
R/ATNO.298, DESAI BUILDING,
VAYARALESS PANTH BALEKUNDRI,
BALEKUNDRI, HUKERI,
BELGAUM DISTRICT-591103.
11. VIVEKANANDA
S/O WAMAN RAO,
AGED ABOUT 45 YEARS
R/AT NO.77/15, 7TH CROSS,
JAI MARUTHI NAGAR,
NEAR SHANESHWARA TEMPLE,
BENGALURU-560096.
12. VIKRAM KUMAR GHANCHI
S/O.PUKRAJJI,
AGED ABOUT 37 YEARS
R/AT NO.1A, 4TH CROSS,
KILARI ROD,
BENGALURU-560053.
13. SOMESHAKAR N
S/O.N.NAGARAJU,
AGED ABOUT 46 YEARS
R/AT. NO.136, 1ST CROSS,
PRAKASH NAGAR, SRIRAMPURA,
BENGALURU-560021.
14. R. MADHUSUDAN
S/O.D RAMAKRISHNA,
AGED ABOUT 44 YEARS
R/AT. NO.24, 1ST FLOOR,
20TH CROSS, NEAR HCG HOSPITAL,
SAMPANGIRAMANAGAR,
BENGALURU-560027.
15. V N JAGADEESHA
S/O.LATE V D NITHYANANDA,
AGED ABOUT 53 YEARS

R/AT NO.OLD NO.69/1, NEW NO.1,
A CROSS, ARATIMARADA ROAD,
MARUTHI SEVANAGAR POST,
SUBBANNA PALYA,
BENGALURU-560033.

16. PANCHAKSHARI
S/O.VEERANNA,
AGED ABOUT 45 YEARS
R/AT.NO.16, SHALMALA COLONY,
NEW RAILWAY GATE, KALYAN NAGAR,
DHARWAD-580007.

...PETITIONERS

(BY SHRI NAGAIAH, ADVOCATE)

AND:

STATE OF KARNATAKA
BY UPPARPETE POLICE/CCB (W & N) SQUAD
REP. BY STATE PUBLIC PROSECUTOR,
HON'BLE HIGH COURT OF KARNATAKA,
BENGALURU-560001.

...RESPONDENT

(BY SHRI K.P. YOGANNA, HCGP.)

THIS CRIMINAL PETITION IS FILED UNDER SECTION 482 CR.P.C PRAYING TO QUASH THE ENTIRE PROCEEDINGS IN S.C.NO.1417/2018 (CR.NO.277/2014) PENDING ON THE FILE OF THE LXXI ADDITIONAL CITY CIVIL AND SESSIONS JUDGE, BENGALURU (CCH-72) FILED BY THE UPPARPET POLICE STATION/CCB(W AND N) SQUAD, FOR THE ALLEGED OFFENCES P/U/Ss.188, 370A, 370(3), 294 R/W. 109 OF IPC.

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

O R D E R

Heard Shri Nagaiah, learned advocate for the petitioners and Shri K.P. Yoganna, learned HCGP for the State.

2. Learned advocate for the petitioners submits that all petitioners are accused in the proceedings before the Trial Court for the offences punishable under Sections 188, 370A, 370(3), 294 r/w. 109 of IPC in Crime No.277/2014 registered in Upparpet Police Station. He further submits that petitioners are customers who had visited the Bar and Restaurant run in the name and style as 'Casino Royale Bar and Restaurant'. The proceedings against two other similarly situated co-accused who are also customers, have been quashed by this Court in Crl.P.No.3026/2017 (D.D. on 11.12.2017). Hence, he prays that proceedings against the petitioners herein also may be quashed.

3. Learned HCGP, in his usual fairness, does not dispute the facts narrated by the learned advocate for the petitioners.

4. It is recorded in Crl.P.No.3026/2017 that the petitioners therein were also customers. In the circumstances, following the said decision, this petition is allowed. The proceedings in S.C.No.1417/2018 pending on the file of the LXXI Additional City Civil and Sessions Judge, Bengaluru (CCH-72) are quashed *qua* the petitioners.

5. In view of disposal of the petition, I.A.No.1/2018 does not survive for consideration and the same is also disposed of.

Petition is accordingly ***disposed of***. No costs.

**Sd/-
JUDGE**