

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 30TH DAY OF JUNE, 2021**

**BEFORE**

**THE HON'BLE Dr. JUSTICE H.B.PRABHAKARA SASTRY**

**CRIMINAL REVISION PETITION No.1492 OF 2019**

BETWEEN:

SMT. S. MANJULA  
WIFE OF SRIDHAR KALIDASA  
AGED ABOUT 56 YEARS,  
RESIDING AT NO.528,  
3<sup>RD</sup> CROSS, HOSAKEREHALLI CROSS  
B.S.K. III STAGE, BENGALURU – 560 085.

PRESENTLY RESIDING AT

NO.135, 8<sup>TH</sup> MAIN, 10<sup>TH</sup> CROSS  
A.G.S. LAYOUT  
NEAR PARK, BENGALURU – 560 070.

...PETITIONER

(BY SRI. MANJUNATHA H.R. AND  
SRI. K.M. CHANDRASHEKAR, ADVOCATES)

AND:

SMT. G.K. ANASUYA KALASEGOWDA  
WIFE OF KALASEGOWDA  
AGED ABOUT 55 YEARS  
RESIDING AT NO.248, 9<sup>TH</sup> MAIN,  
B.S.K. III STAGE, SRINIVASANAGAR  
BENGALURU – 560 050.

...RESPONDENT

(BY SRI. NAIK N.R. AND SRI M. PRAKASHA, ADVOCATES)

THIS CRL.RP IS FILED U/S. 397 R/W S.401 OF CR.P.C. PRAYING TO SET ASIDE THE IMPUGNED ORDER OF DISMISSAL OF CRIMINAL APPEAL NO.2270/2018 DATED 06.09.2019 PASSED BY THE SESSIONS JUDGE, LVI ADDL. CITY CIVIL AND SESSIONS JUDGE AT BENGALURU CITY, CCH - 57 IN CONFIRMING THE JUDGMENT OF CONVICTION AND SENTENCE DATED 12.10.2018 PASSED BY THE XII ADDL. CHIEF METROPOLITAN MAGISTRATE AT BENGALURU IN C.C. NO.19040/2017; SET ASIDE THE ORDER OF TRIAL COURT BY ALLOWING THIS PETITION.

THIS CRIMINAL REVISION PETITION COMING ON FOR ORDERS THROUGH PHYSICAL HEARING/VIDEO CONFERENCING THIS DAY, THE COURT MADE THE FOLLOWING:

### **ORDER**

Learned counsel for the petitioner and learned counsel for the respondent are appearing through video conference.

Learned counsel for the petitioner submits that he has no instructions from the legal representatives of the deceased petitioner as to whether to proceed further in this matter, as such, he would not press the present revision petition.

The petitioner is reported to be dead on 03.07.2020 in which regard learned counsel for the petitioner has filed a memo along with death certificate of the petitioner.

In view of the fact that despite the death of the petitioner, learned counsel for the petitioner is submitting that he has no instructions from the petitioner's family regarding further proceeding in this matter and as such, he is not pressing the petition, the petition stands abated by the death of the petitioner.

Consequently the pending I.As. 2 and 3 of 2020 do not survive for consideration.

**Sd/-  
JUDGE**

sac\*