



IN THE HIGH COURT OF KARNATAKA,

KALABURAGI BENCH

DATED THIS THE 18TH DAY OF MARCH, 2025

BEFORE

THE HON'BLE MR. JUSTICE S RACHAIAH

CRIMINAL APPEAL NO. 200086 OF 2025

BETWEEN:

ASHWIN KUMAR
S/O SUNILKUMAR DUMMANAVAR,
AGED ABOUT 43 YEARS,
OCC: BUSINESS,
R/O. SUNDAR NAGAR,
OPP: GOVT. HOSPITAL,
KALABURAGI,
DIST. KALABURAGI-585106.

...APPELLANT

(BY SRI B. C. JAKA, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
THROUGH STATION BAZAR
POLICE STATION,
KALABURAGI,
DIST. KALABURAGI-585105,
NOW REPRESENTED BY ADDL. SPP,
HIGH COURT OF KARNATAKA,
KALABURAGI BENCH -585107.

Digitally signed
by RENUKA

Location:
HIGH COURT
OF
KARNATAKA



2. ABDUL RAHEEMAN
S/O A KARIM MASKI,
AGED ABOUT 50 YEARS,
OCC: WORKING IN NEKRTC,
R/O. ASSISTANT NEKRTC MAIN OFFICE,
NEAR KBN HOSPITAL,
KALABURAGI,
DIST. KALABURAGI -585106.

...RESPONDENTS

THIS CRL.A. IS FILED UNDER SECTION 14 OF THE SCHEDULE CASTES AND SCHEDULE TRIBES (PREVENTION OF ATROCITIES ACT) AMENDMENT 2015 PRAYING TO PRAYING TO ALLOW THIS APPEAL AND SET ASIDE THE ORDER DATED 02.12.2024, IN SPL.CASE.SC/ST NO.09/2019, PASSED BY THE II ADDL. DIST. & SESSIONS JUDGE AT KALABURAGI, CONSEQUENTLY ALLOW THE APPLICATION FILED BY THE COUNSEL FOR THE COMPLAINANT U/SEC.311 OF CR.P.C RECALL THE ORDER DATED 02.12.2024, FOR FURTHER EXAMINATION COMPLAINANT WITNESS PW-2/CW-2, PERMIT THE COUNSEL FOR THE COMPLAINANT TO EXAMINE WITNESS, TO SECURE THE ENDS OF JUSTICE AND TO PREVENT ABUSE OF PROCESS OF THE COURT AND ETC.

THIS APPEAL, COMING ON FOR ORDERS, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE S RACHAIAH



ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE S RACHAIAH)

1. The learned counsel for the appellant has filed a memo for withdrawal, which reads as under:

"The advocate for the appellant submits that, during the pendency of this appeal the Trial court discharge the accused/Respondent herein. Therefore it is prayed that the Hon'ble Court may permitted the appellant to withdraw the petition with a liberty to challenge along with order on discharge application, in the interest of Justice."

2. The memo is taken on record.

3. On reading of the averments of the said memo, leave is granted. Appeal stands dismissed as withdrawn with liberty as prayed for.

**Sd/-
(S RACHAIAH)
JUDGE**