HC-KAR

CNR: KAHC010070792023

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 6TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 2169 OF 2023

BETWEEN:

DR. S, MAHALINGAM
S/O LATE SRI V. SHANMUGAM
AGED ABOUT 70 YEARS
FOUNDER CHAIRMAN
FOUNDATION FOR EDUCATION FOR ALL
BANGALORE, A REGISTERED PUBLIC TRUST
HAVING ITS OFFICE AT NO.F-4
ASHRAYA RESIDENCY, BTM LAYOUT
IST STAGE, BENGALURU - 560 068.

...PETITIONER

(PETITIONER - ABSENT)

AND:

1. THE STATE OF KARNATAKA BY
JAYAPRAKASH NAGAR
POLICE STATION
BENGALURU CITY
BENGALURU - 560 078
REP. BY STATE PUBLIC PROSECUTOR
HIGH COURT OF KARNATAKA
BANGALORE - 560 001.

2. SRI R. KISHORE
S/O REVEENDRAN
AGED ABOUT 35 YEARS
SECRETARY, GNANA VRIKSH INSTITUTIONS
HAVING OFFICE AT NO.30/1
4TH MAIN, BTM DRC POST
BENGALURU - 560 029.

...RESPONDENTS

(BY SRI RAHUL RAI K, HCGP FOR R-1;
SRI SHREYAS N, ADV., FOR R-2)

Digitally signed by NANDINI M S
Location: HIGH COURT OF KARNATAKA

CNR: KAHC010070792023

THIS CRL.P IS FILED U/S 482 CR.PC PRAYING TO SET ASIDE THE IMPUGNED ORDER DATED 21.07.2022 PASSED IN CRIME NO.148/2018 FOR THE OFFENCE P/U/S 448, 341, 323, 324, 504, 506(b) OF IPC PASSED BY THE LEARNED 30TH ADDITIONAL CHIEF METROPOLITAN MAGISTRATE, BENGALURU AS PER ANNEXURE K AND THEREBY TO SET ASIDE THE ACCEPTANCE OF THE B REPORT SUBMITTED BY THE 1ST RESPONDENT POLICE AS PER ANNEXURE H.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

1. There is no representation on behalf of the petitioner. On 11.09.2026, this Court had passed the following order:-

> *"Learned counsel for the petitioner has filed a memo seeking to retire from the case.*
>
> *Learned counsel for the petitioner submits that files relating to the case have been handed over to the petitioner and his signature is also obtained in the memo of retirement, which is now filed.*
>
> *The submission is placed on record. Memo of retirement which is dated 22.12.2025 bears the signature of the petitioner. Therefore, learned counsel for the petitioner is permitted to retire from the case.*
>
> *There is no representation on behalf of the petitioner.*

Though files are taken back under acknowledgment by the petitioner on 22.12.2025, till date no alternative arrangement is made. However, in the interest of justice, finally matter is adjourned to 06.10.2026.

On the next date of hearing, if there is no representation on behalf of the petitioner, it is made clear that petition shall be dismissed for non-prosecution."

2. Inspite of the aforesaid order, no arrangements have been made to represent the petitioner before this Court nor has the petitioner appeared in-person before this Court.

3. Under the circumstances, this Court has no other option but to dismiss the petition for non-prosecution. Accordingly, petition is dismissed for non-prosecution.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE

DN
List No.: 2 Sl No.: 1