HC-KAR

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 6TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.NAGAPRASANNA

CRIMINAL PETITION NO. 4401 OF 2023

BETWEEN:

1. B. GURUPRASAD
   SON OF H.D. BASAVARAJU
   AGED ABOUT 41 YEARS
   R/A.NO.1138, E/A,
   PADMA, 3RD B MAIN ROAD,
   VIJAYANAGARA, 2ND STAGE,
   HAMPINAGAR
   BENGALURU - 560 004.

Digitally signed by SANJEEVINI J KARISHETTY
Location: High Court of Karnataka

2. B. GIRIPRASAD
   SON OF H.D. BASAVARAJU
   AGED ABOUT 39 YEARS
   R/A.NO.1138, E/A,
   PADMA, 3RD B MAIN ROAD,
   VIJAYANAGARA, 2ND STAGE,
   HAMPINAGAR
   BENGALURU - 560 004.

...PETITIONERS

(BY MS. SADHANA, ADVOCATE)

AND:

1. N. S. CHANDRASHEKAR
   SON OF LATE N. B. SHIVARUDRAPPA
   AGED ABOUT 42 YEARS
   RESIDING AT KOTTE BEEDI
   NELAMANGALA TOWN AND TALUK
   BENGALURU RURAL DISTRICT - 562 123

2. A.S. CHETAN
   AGED ABOUT 32 YEARS
   RESIDING AT KOTTE BEEDI
   NELAMANGALA TOWN AND TALUK
   BENGALURU RURAL DISTRICT

…RESPONDENTS

THIS CRL.P FILED U/S 482 CR.P.C. BY THE ADVOCATE FOR THE PETITIONER PRAYING THAT THIS HONOURABLE COURT MAY BE PLEASED TO ISSUE DIRECTION TO DISPOSE THE PROTEST MEMO WITH 4 WEEKS FILED IN PCR NO.53/2018 PENDING CONSIDERATION BEFORE THE HONBLE 1ST ADDL. CIVIL JUDGE (JNE DVN) AND JMFC, NELAMANGALA.

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

CORAM: **HON'BLE MR. JUSTICE M.NAGAPRASANNA**

ORAL ORDER

The petitioners are before this Court, seeking the following prayer:

> "(i) Issue direction to dispose the protest memo within 4 weeks filed in PCR No.53/2018 pending consideration before The Hon'ble I Addl. Civil Judge (Jne Dvn) & JMFC, Nelamangala;
>
> (ii) Pass any such other order or grant such other relief/s as this Hon'ble Court deems fit to grant under the circumstances of the case in the interest of justice and equity."

2. Heard Ms. Sadhana, learned counsel appearing for the petitioners and have perused the material on record.

3. The petitioners are accused Nos.5 and 6. The issue revolves around PCR No.53/2018 and the matter having been referred to for investigation to the jurisdictional police. The police conduct investigation and file a 'B' report before the concerned Court. On the 'B' report, the complainant is said to have preferred a protest memo. The protest memo is languishing before the concerned Court for the last 4 years. Therefore, the petitioners - accused Nos.5 and 6 are before the

Court seeking a direction for expeditious disposal of the protest memo and further orders to be passed thereon.

4. It is rather unfortunate that a protest memo is pending before the concerned Court for the last 5 years without it being decided and the fate of these accused are hanging in limbo.

5. In that light, I deem it appropriate to direct the concerned Court to dispose the protest memo so filed in PCR No.53/2018 within an outer limit of four (4) weeks from the date of receipt of a copy of the order, if not already decided, in accordance with law and regulate its procedure thereafter.

With the aforesaid observations, the petition stands disposed.

Sd/-
(M.NAGAPRASANNA)
JUDGE

SJK
List No.: 1 Sl No.: 2