

**IN THE COURT OF THE CIVIL JUDGE AND JMFC, AT
KALAGHATAGI**

PRESENT

**Sri. Ganesha N., M.A. LLB.,
Civil Judge and JMFC.,
Kalaghatagi
C.C. No.1762/2022**

Dated on this the 21st day of October 2022

COMPLAINANT :State by Kalaghatagi
Police Station.
V/s

ACCUSED 4 Peersab S/o. Gajabeersab Gadadh
Age: 57 years, Occ; Agriculture
R/o. Shinganhalli village,
Tq & Dist: Dharwad.

**ORDER ON COMMITTAL UNDER SECTION 209
OF CR.P.C.**

The SHO of Kalaghatagi Police Station, Kalaghatagi has filed charge sheet/final report against the accused Nos.1 to 4 for the offences punishable U/s. 379 and 411 of IPC and U/s.86 and 87 of Karnataka Forest Act 1963.

2. The accused No.4 was produced before the Court on 14.06.1986 and he was released on bail 16.06.1986. This Court after taking cognizance of the said offence criminal case registered in

C.C.No.29/1992. On 17.07.2000 the case against accused Nos.1, 3 and 4 got split up and ordered for registration of separate criminal case and case in C.C.No.170/2000 was registered. Subsequently the accused No.3 was traced in C.C.No.170/2000 and as such case against accused Nos.1 and 4 again got split up and separate criminal case in C.C.No.26/2003 was registered as per order dated 04.02.2003. This Court upon following due procedure and after taking due permission from the Hon'ble Prl. District and Sessions Judge, Dharwad this Court by its order dated 17.10.2003 has transferred of this case against Accused Nos.1 and 4 for LPR.

3. Upon accused No.4 being traced and he was being produced before this Court on 13.10.2022, the case registered against accused No.1 and 4 was removed from the LPR only in respect of accused No.4 and registered with separate new criminal case in C.C.No.1762/2022 as per order dated 13.10.2022.

3. Copies of entire prosecution papers were supplied to the counsel for accused No.4 and he has submitted to commit the case to the Hon'ble Court of Sessions for trial.

4. The alleged offence is now exclusively triable by the Hon'ble Court of Sessions.

5. As the offence now is exclusively triable by the Hon'ble Court of Sessions, it is inevitable duty of this Court to commit the instant case to the Court of Hon'ble Session for trial as per Section 209 of Cr.P.C. Hence, this Court proceeds to pass the following:

ORDER

Acting U/s.209 of Cr.P.C., the instant case is hereby committed to the Hon'ble Prl. District and Sessions Judge for trial.

Office is hereby directed to submit the entire records of this case and records of C.C.No.29/1992, C.C.No.170/2000 and 26/2003 and documents forthwith to the Hon'ble Prl. District and Sessions Judge.

Office is hereby directed to notify the learned public prosecutor about the committal of this case.

Judicial custody of accused No.4 is extended till conclusion of trial before the Hon'ble Court of Sessions.

(Dictated to the Stenographer transcript typed by him, corrected, initialed and same is pronounced by me in the open Court on this the 21st day of October 2022)

(GANESHA N.),
Civil Judge & JMFC.,

Kalaghatagi.