

Accused no.2 produced Under body warrant through WPC NO. 02 of Koppal Town P.S.

Filed application U/sec 33 of Evidence act, stating that, this is split-up case against this accused No.2 from the original C.C. No. 315/2016, against this accused No.2.

Further stated, in the above said criminal cases accused No.4 is acquitted, for the offenses Punishable under section 420, 465, 468, 471, 109, 201 R/w 34 of IPC, so that prays to acquit this accused giving the benefits given by this court in favour of the A-4, further prays to consider the evidence given by the prosecution for proof of case against A-4.

Furnished acquittal judgment in C.C. No. 315/2016, pertains to the A-4, on perusal of the same, it is noticed that A-4 is acquitted in the all the main cases.

Learned Sr.APP submitted that, A-4 was a C.E.O. of the V-3 life care company, he has played vital role in commission of the offense, even after recording the evidence, A-4 is acquitted in original criminal case.

A-1 was Managing Director of the V-3 life care company, he is no more, hence case against A-1 is abated, further A-3 was also director in this case, he has challenged the proceedings of this case before the Hon'ble High court of Karnataka in criminal petition No. 103074/2022 along with other 10 cases, proceedings against him in the all the cases is quashed.

Further submitted that, prayer made by counsel for accused may be considered and acquit her from the said offenses.

Counsel for accused furnished a judgment of Hon'ble High court of Karnataka reported in 2021 (1) Kar ,L,J,580 in between Sayid Asif Ali

and another V/s state of Karanataka by Halsur gate women police station and another, Further requested to acquit the accused on the ground of priority.

Looking to the para No. 9 and 10 of the above cited judgment it is noticed that in case of acquittal of main accused, co-accused can be acquittal and parity ground.

Looking to the facts and circumstance of this case and also the observation made by the Hon'ble High court of Karanataka in the above cited decision this court proceed to pass the following,

ORDER

Acting U/sec 248(1) of Cr.P.C. this accused No.2 is acquitted for the offenses punishable under section 420, 465, 468, 465, 471, 109, 201 R/w 34 of IPC.

Bail bond executed by accused and her surety are stand canceled.

Case property shall be released in favour of the aggrieved party on proper enquiry

Issue release intimation to the jail authority with direction to release this accused if she is not required in any other case.

01/03/2025

**Sr. C. J. & CJM,
Koppal.**