



IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 23RD DAY OF MARCH, 2026
BEFORE
THE HON'BLE MR. JUSTICE M.NAGAPRASANNA
WRIT PETITION NO. 568 OF 2026 (GM-RES)

BETWEEN:

1. SRI SURESH KUMAR
S/O DULRAJ JAIN
AGED ABOUT 42 YEARS
RESIDING AT HOUSE NO.244/2
SRI TULSI NIVAS, WARD NO.20
JUMMA MASJID ROAD
SAKLESHPUR, HASSAN DISTRICT - 573 134.
2. SRI SUNIL KUMAR
S/O DULRAJ JAIN
AGED ABOUT 36 YEARS
RESIDING AT HOUSE NO.3260/79
SRI TULASI NIVAS, 5TH CROSS
OPP MORE SUPER MARKET
GAYATHRI NAGAR, BENGALURU - 560 021.
3. SMT. KAVITHA
W/O SURESH KUMAR
AGED ABOUT 40 YEARS
RESIDING AT HOUSE NO.244/2
SRI TULSI NIVAS, WARD NO.20
JUMMA MASJID ROAD
SAKLESHPURA, HASSAN DISTRICT - 573 134.
4. SRI DULRAJ JAIN
S/O LATE PREMRAJ
AGED ABOUT 65 YEARS
RESIDING AT HOUSE NO.244/2
SRI TULSI NIVAS
WARD NO.20, JUMMA MASJID ROAD
SAKLESHPURA
HASSAN DISTRICT - 573 134.

...PETITIONERS

(BY SRI P.D. SURANA, ADV.)

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



AND:

1. STATE OF KARNATAKA
REPRESENTED BY THE STATION
HOUSE OFFICER, SAKLESH PURA
TOWN POLICE, SAKLESH PURA
HASSAN DISTRICT - 573 134.
2. SMT. LALITA PRUTHVIRAJ
W/O PRUTHVIRAJ
AGED ABOUT 38 YEARS
RESIDING AT HOUSE NO.244/2
SRI TULSI NIVAS, WARD NO. 20
JUMMA MASJID ROAD, SAKLESH PURA
HASSAN DISTRICT - 573 134
AND ALSO AT NO.2-4-48, KHATA
NO.946/856, B.M.ROAD, WARD NO.6
SAKLESH PURA TOWN
HASSAN DISTRICT - 573 134.

...RESPONDENTS

(BY SMT. SOWMYA R, HCGP FOR R-1)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE PROCEEDINGS IN C.C.NO.817/2024 ON THE FILE OF THE COURT OF THE LEARNED SENIOR CIVIL JUDGE AND JMFC, SAKLESH PURA, VIDE ANNEXURE-X AND GRANT SUCH OTHER RELIEF OR RELIEFS AS THIS HON'BLE COURT DEEMS FIT UNDER THE FACTS AND CIRCUMSTANCES OF THE CASE, IN THE INTEREST OF JUSTICE.

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

CORAM: HON'BLE MR. JUSTICE M.NAGAPRASANNA

ORAL ORDER

1. Petitioners are before this Court seeking the following prayer:-

*"WHEREFORE, it is humbly prayed that this
Hon'ble Court be pleased to issue a Writ of*



Certiorari to quash the proceedings in C.C.No.817/2024 on the file of the court of the learned Senior Civil Judge & JMFC, Sakleshpura, vide ANNEXURE-X and grant such other relief or reliefs as this Hon'ble Court deems fit under the facts and circumstances of the case, in the interest of justice."

2. Learned HCGP on instructions would submit that charges have been framed and the trial is on against the petitioners. Therefore, subject petition in the form that is presented cannot be entertained in the light of the judgment of the Apex Court in the case of **MINAKSHI BALA V. SUDHIR KUMAR**¹.

3. Learned counsel Sri. P. D. Surana appearing for the petitioners however, submits that the petitioners are aged and would not be able to attend the proceedings.

4. It is open for these petitioners to file an application seeking exemption from appearance except when the Court is needed. In the event, petitioners would file an application, the

¹ (1994) 4 SCC 142



**NC: 2026:KHC:16421
WP No. 568 of 2026**

concerned Court shall answer the application and pass necessary orders in accordance with law permitting exemption or otherwise. This is the only relief that can be granted at this juncture.

With the above observation, the petition is disposed off.

**Sd/-
(M.NAGAPRASANNA)
JUDGE**

DN
List No.: 1 Sl No.: 211