



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 26TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE S SUNIL DUTT YADAV

CRIMINAL PETITION NO. 1284 OF 2026

BETWEEN:

1. SERIOUS FRAUD INVESTIGATION OFFICE
MINISTRY OF CORPORATE AFFAIRS,
GOVERNMENT OF INDIA,
2ND FLOOR, PARYAVARAN BHAWAN,
CGO COMPLEX, LODHI ROAD,
NEW DELHI - 110 003
REPRESENTED BY ASSISTANT DIRECTOR
PARAMVEER BHATI

... PETITIONER

(BY SMT. ANUPARNA BORDOLOI., ADVOCATE)

AND:

1. C P YOGESHWARA
S/O SHRI. PUTTAMADEGOWDA,
AGED ABOUT 60 YEARS,
464, 1ST G CROSS, 2ND PHASE,
BANASHANKARI 3RD STAGE,
BENGALURU - 560 085.
2. C.P GANGADHARESHWARA,
S/O PUTTAMADEGOWDA,
AGED ABOUT 60 YEARS
NO. 367, 1ST E CROSS, 2ND PHASE





BSK 3RD STAGE,
BENGALURU - 560 085

3. SHRI. P. MAHADEVAIAH
S/O SH. PUTTEGOWDA,
AGED ABOUT 56 YEARS
143, 5TH MAIN, BSK 3RD STAGE,
BANGALORE - 560 085
4. SHRI RAMESH H. R.
AGED ABOUT 42 YEARS
435, 1ST G CROSS, 6TH BLOCK,
BSK 3RD STAGE,
BENGALURU - 560 085.
5. M/S MEGACITY (BENGALURU) DEVELOPERS
AND BUILDERS LIMITED,
HAVING OFFICE AT MEGA TOWER,
120, KENGAL HANUMANTHAIAH ROAD,
BENGALURU - 560 027.
REPRESENTED BY ITS NOMINEE DIRECTOR
SRI.C.V. SANJEEVAN

... RESPONDENTS

(BY SRI. VIVEKANANDA N., ADVOCATE FOR
SRI LINGARAJ SHARANAPPA., ADVOCATE)

THIS CRL.P IS FILED U/S.482 OF CR.P.C., 1973, PRAYING
TO A. SET ASIDE THE IMPUGNED ORDER DATED 09.01.2026
REJECTING THE PETITIONER'S APPLICATION U/S.309 OF CR.PC
PASSED BY HON'BLE XLII ADDL CJM BENGALURU (ANNEXURE -
A).

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



CORAM: HON'BLE MR. JUSTICE S SUNIL DUTT YADAV

ORAL ORDER

This petition has been filed seeking to set aside the order at Annexure-'A' dated 09.01.2026 passed in C.C.No.30790/2021 by the Court of XLII Additional Chief Judicial Magistrate, Bengaluru, whereby, the application of the petitioner filed under Section 309 of Cr.P.C. seeking adjournment was rejected.

2. Learned counsel for the petitioner submits that the non-examination of independent witness, Sri Ravindra Beleyur was due to *bona fide* reasons and that, if the Court were to put the petitioner on terms, they would ensure his presence and undertake to go ahead with his examination on a date to be fixed by this Court.

3. Learned counsel appearing for the respondents submits that subject to the petitioner adhering to its undertaking, the Court may pass appropriate orders.



4. Taking note of the stand of both sides and also the petitioner seeking condonation of lapse in not diligently prosecuting the proceedings, it would be appropriate to afford the petitioner another opportunity to examine the said witness.

5. Accordingly, the order at Annexure-'A' dated 09.01.2026 passed in C.C.No.30790/2021 by the Court of XLII Additional Chief Judicial Magistrate, Bengaluru, rejecting the application filed under Section 309 of Cr.P.C. seeking adjournment, is set aside. The matter is to be proceeded and the petitioner to examine the said witness, Sri Ravindra Beleyur by ensuring his presence at the petitioner's instance on *10.03.2026. However, it is made clear that the petitioner would not seek any further adjournment on the said date.

6. It is needless to state that the Special Court is to proceed expeditiously to conclude the proceedings, as the proceedings itself have reached the final stage.

** Corrected vide Court order dated 06.03.2026.*



NC: 2026:KHC:12036
CRL.P No. 1284 of 2026

Accordingly, the petition is ***disposed of.***

SD/-
(S SUNIL DUTT YADAV)
JUDGE

VGR