



HC-KAR

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NC: 2026:KHC-D:1728
CRL.P No. 104231 of 2025

IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 05TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE V.SRISHANANDA

CRIMINAL PETITION No.104231 OF 2025

(482(Cr.PC)/528(BNSS)-)

BETWEEN:

1. SHANKAR @ SHANKRAPPA @ SHANKARANNA
S/O. CHANDAPPA NEERAVARI,
AGE: 72 YEARS,
OCC: RETIRED MANAGER,
SYNDICATE BANK,
R/O. 'SRI RANGANATH'
H.NO.07, 3RD CROSS,
TUNGABHADRA COLONY
HALIYAL ROAD, SAPTAPUR,
DHARWAD-580001.
2. SMT. RENUKA W/O. SHANKAR @ SHANKARAPPA
@ SHANKARANNA NEERAVARI
S/O CHANDAPPA NEERAVARI
AGE: 65 YEARS, OCC: HOMEMAKER,
R/O. 'SRI RANGANATH'
H.NO.07, 3RD CROSS,
TUNGABHADRA COLONY
HALIYAL ROAD, SAPTAPUR
DHARWAD-580001.
3. CHETANKUMAR S/O. SHANKAR @ SHANKARAPPA
@ SHANKARANNA NEERAVARI,
AGE: 43 YEARS,
OCC: INTEGRATION LEAD IN
IBM BENGALURU,
R/O. 22, 6TH CROSS,
GIDDAPPA BLOCK,
BENGALURU-560032
PERMANENT ADDRESS
'SRI RANGANATH'
H.NO.07, 3RD CROSS,





TUNGABHADRA COLONY
HALIYAL ROAD,
SAPTAPUR, DHARWAD-580001,

4. SMT. MAMATA W/O. CHETANKUMAR NEERAVARI
AGE: 42 YEARS, OCC: WORKING IN CGI
BENGALURU,
R/O. #22, 6TH CROSS,
GIDDAPPA BLOCK,
BENGALURU-560032
PERMANENT ADDRESS
'SRI RANGANATH'
H.NO.07, 3RD CROSS,
TUNGABHADRA COLONY
HALIYAL ROAD, SAPTAPUR
DHARWAD-580001.

5. PRAVEENKUMAR S/O. SHANKAR @
SHANKARANNA NEERAVARI
AGE: 37 YEARS,
OCC: SERVICE DELIVERY
MANAGER,
R/O. 'SRI RANGANATH'
H.NO.07, 3RD CROSS,
TUNGABHADRA COLONY
HALIYAL ROAD,
SAPTAPUR
DHARWAD-580001.

...PETITIONERS

(BY SRI. CHETAN LIMBIKAI, ADVOCATE FOR
SRI. PRAKASH U. UDIKERI, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
R/BY DHARWAD SUB URBAN
POLICE STATION,
DHARWAD.
R/BY ITS ADDL.S.P.P.
HIGH COURT OF KARNATAKA,
DHARWAD BENCH,
AT. DHARWAD.



2. VIJAYALAKSHMI W/O. KIRANKUMAR NEERAVARI
AGE: 38 YEARS, OCC: SOFTWARE ENGINEER,
R/O.C/O. RUDRAPPA SHIRAHATTI
H.NO.12,
MAILARLINGA NAGAR,
KALAGHATAGI ROAD,
DHARWAD-580002.

...RESPONDENTS

(BY SMT. KIRTELATA R. PATIL, HCGP FOR R1;
SMT. A.K. SHIRALLI, ADVOCATE FOR
SRI. K.M. SHIRALLI, ADVOCATE)

THIS CRIMINAL PETITION IS FILED U/S 482 OF CR.P.C. (528 OF BNSS), PRAYING TO QUASH THE IMPUGNED ORDER DATED 02/08/2025, PASSED BY THE PRINCIPAL CIVIL JUDGE AND JMFC DHARWAD, IN C.C NO.4651/2022 VIDE ANNEXURE-A, REJECTING THE APPLICATION FILED BY THE PETITIONERS/ACCUSED NO. 1 TO 5 FILED U/SEC. 231(2) OF CR. P.C., PRAYING THE TRIAL COURT TO DEFER THE CROSS-EXAMINATION OF C.W-1/ P.W-1, TILL RECORDING THE EXAMINATION-IN-CHIEF OF C.W-4 TO C.W-6 AND IN ORDER TO RECORD CROSS EXAMINATION OF C.W-4 TO C.W-6 AT ONCE.

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



ORAL ORDER

(PER: THE HON'BLE MR. JUSTICE V.SRISHANANDA)

Heard Sri Chethan Limbikai, advocate for Sri Prakash U.Udikeri, learned counsel for the petitioners, Smt. Kirtilata R.Patil, learned High Court Government Pleader and Smt.A.K. Shiralli, advocate for Sri K.M.Shiralli, learned counsel for respondent No.2.

2. Order under challenge is the rejection of the prayer of the accused to defer the cross-examination of CW-1 until other material witnesses are also examined-in-chief.

3. It is the right exercisable by the accused, as based on the answers elicited in the cross-examination to CW-1, possibility of tutoring CWs-4 to 6 may take place.

4. Therefore, rejecting the prayer of the accused has resulted in miscarriage of justice.



5. Accordingly, the following:

ORDER

- (i) Petition ***allowed***.
- (ii) Prayer of the accused to defer the cross-examination of CW-1 till the examination-in-chief of CWs-4 to 6 is allowed.
- (iii) However, it is made clear that after the examination-in-chief of CW-1, CWs4 to 6 if examined, the accused shall cross- examine all the witnesses on the same day, if not on the same day, the next day.

Ordered accordingly.

Sd/-
(V.SRISHANANDA)
JUDGE

kcm
List No.: 1 Sl No.: 69