

Chandan T J Vs State Of Karnataka & Ors

Court: Karnataka High Court At Bengaluru

Date of Decision: Jan. 25, 2025

Acts Referred: Indian Penal Code, 1860 " Section 34, 302
Code Of Criminal Procedure, 1973 " Section 216

Hon'ble Judges: S.R. Krishna Kumar, J

Bench: Single Bench

Advocate: Suyog Herele .E, Vinay Mahadeviah

Final Decision: Disposed Of

Judgement

S.R. Krishna Kumar, J

1. In this petition, the petitioner seeks the following reliefs:

Set aside the order dated 10.07.2024 passed by the learned II Additional District and Sessions Judge at Hassan in S.C.No.108/2023

insofar as framing charge no.4 is concerned for the alleged offences punishable under Sections 302 r/w 34 IPC against the petitioner in the

ends of justice.

2. Heard learned counsel for the petitioner, learned High Court Government Pleader for the respondent-State and perused the material on record.

3. After arguing the matter for sometime, the learned counsel for petitioner submits that the petitioner is arraigned as accused no.1 in

S.C.No.108/2023, which is posted before the learned Sessions Judge on 27.01.2025.

4. It is submitted that the petitioner shall make an application under Section 216 Cr.P.C., on 27.01.2025 seeking alteration / modification / amendment

of the charge already framed and before proceeding further, the trial court may be directed to dispose off the said application in accordance with law.

5. The submission is placed on record.

6. The petition stands disposed of reserving liberty to the petitioner to file an application under Section 216 Cr.P.C., before the learned Sessions Court

in S.C.No.108/2023 on 27.01.2025.

7. In the event if the petitioner files such an application, the trial court shall defer all further proceedings including recording of evidence and the Trial

Court in the first instance consider and pass appropriate orders on the said application to be filed by the petitioner and dispose off the same by passing

appropriate orders, in accordance with law and thereafter, proceed further in the matter.

8. Subject to the aforesaid directions and liberty reserved in favour of the petitioner petition stands disposed of.