

Prakash Rao Mairpady Vs Swathi Hebbar

Court: Karnataka High Court At Bengaluru

Date of Decision: Jan. 31, 2025

Acts Referred: Code Of Criminal Procedure, 1973 " Section 125, 407

Hon'ble Judges: V Srishananda, J

Bench: Single Bench

Advocate: Ravishankar A, N.K. Ramesh

Final Decision: Allowed

Judgement

V Srishananda, J

1. Though this matter is posted for Admission, with the consent of the learned counsel for the parties, the same is taken up for final disposal.

2. Both parties present. Heard Sri. Ravishankar A., learned counsel for the petitioner and Sri.N.K. Ramesh, learned counsel for the respondent.

3. The petitioner has filed the present petition under Section 407 of the Code of Criminal Procedure, 1973, (hereinafter for brevity referred to as

Cr.P.C."), with the follower prayer:

Wherefore, the petitioner prays that the Hon'ble Court be pleased to order for transfer of CrI.Mis.117/2023 pending on the file of

Additional Civil Judge and JMFC, Kundapura to Metropolitan Magistrate and Traffic Court-II Bangalore, to try the same along with

CrI.Misc.No.134/2016 pending before Metropolitan Magistrate and Traffic Court-II, Bangalore, and grant such other reliefs, as the

Hon'ble Court deems fit to grant, in the circumstances of the case, in the ends of equity and justice.

4. This Court secured the presence of the parties to find out the possibility of amicable settlement, if any.

5. The offer given by the wife is not acceptable to the husband and the counter offer given by the husband is not acceptable to the wife. The offer and

the counter offer are so wide that it cannot be patched up.

6. The respondent/wife has no objection to allow the petition prayer.

7. Accordingly, the present Criminal Petition is allowed. The petition filed in CrI.Misc.No.117/2023 under the provisions of Section 125 of Cr.P.C.,

pending on the file of the Additional Civil Judge and JMFC, Kundapura, is hereby withdrawn and transferred to the Metropolitan Magistrate and

Traffic Court-II, Bangalore, to try the same along with CrI.Misc.134/2016.

Ordered accordingly.