IN THE HIGH COURT OF KARNATAKA, DHARWAD BENCH

DATED THIS THE 14TH DAY OF JULY, 2023

BEFORE

THE HON'BLE MR JUSTICE V.SRISHANANDA

CRIMINAL PETITION NO. 100432 OF 2023

BETWEEN:

VISHWANATH H. S/O. SAHADEVAPPA HORAPETI,
AGE: 56 YEARS, OCC: SERVICE,
R/O. KASAVVA VILLAGE, LINGASGUR RAICHUR,
NOW AT R/O: PLOT NO.145, NAVADAYA NAGAR
DHARWAD.

...PETITIONER

(BY SRI. S.B. DODDAGOUDAR, ADVOCATE)

AND:

THE STATE OF KARNATAKA,
(ACB POLICE KARWAR)
REPRESENTED BY SPP,
HIGH COURT BUILDING,
DHARWAD.

...RESPONDENT

(BY SRI. SANTOSH B. MALAGOUDAR, ADVOCATE)

THIS CRIMINAL PETITION IS FILED UNDER SECTION 482 OF CR.P.C. SEEKING TO SET ASIDE THE ORDER DATED 07.01.2023 ON I A U/SEC. 227 OF CR.P.C. PASSED BY THE HON'BLE PRINCIPAL DISTRICT AND SESSIONS JUDGE AND SPECIAL COURT, UTTARA KANNADA, KARWAR, IN SPECIAL CASE NO. 162/2021. THE CONSEQUENTLY ALLOW THE APPLICATION U/SEC. 227 OF CR.P.C. FILED BY THE PETITIONER/ACCUSED NO.1 FOR THE OFFENCES PUNISHABLE U/SEC. 7(a) OF PREVENTION OF CORRUPTION (AMENDED) ACT-2018.

CHANDRASHEKAR LAXMAN KATTIMANI

Digitally signed by CHANDRASHEKAR LAXMAN KATTIMANI
Date: 2023.07.18 11:09:16 -0700

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, THE COURT MADE THE FOLLOWING:

ORDER

Learned counsel for the petitioner has filed a memo which reads as under:

> *"Herein the advocate for the petitioner begs to submit this memo as under:*
>
> *That the petitioner have filed the above petition by challenging the FIR/Complaint and Chargesheet submitted by the ACB police against the present petitioner in view of Division Bench judgment of this Hon'ble Court the ACB is no more and all the ACB cases are transferred to Lokayukta therefore the present petition is filed against the ACR police Karwar. Hence the petitioner may be permitted to withdraw the above petition with a liberty to challenge the same against the Lokayukta by filing appropriate petition before appropriate Court.*
>
> *Hence this memo ."*

2. Memo is placed on record. In view of the memo, petition is dismissed as withdrawn with liberty as prayed for.

Sd/-
JUDGE

SH, List No.: 2 Sl No.: 9