

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 5<sup>TH</sup> DAY OF MARCH, 2014

:PRESENT:

**THE HON'BLE MR. JUSTICE N.K. PATIL**

**AND**

**THE HON'BLE MR. JUSTICE PRADEEP D. WAINGANKAR**

W.P.H.C. NO.40/2014

BETWEEN:

SRI A.T. NAGARAJ  
AGED ABOUT 40 YEARS  
S/O LATE THIMMAPPA  
NARAYANA REDDY BUILDING  
HOSUR ROAD  
HEBBAGODI  
BOMMASANDRA POST  
BANGALORE-560 099.

... PETITIONER

(BY SRI. S. RAJESH, FOR  
SRI. S.B. MUKKANNAPPA, ADVS)

AND:

1. THE STATE OF KARNATAKA  
REPRESENTED BY ITS  
PRL. SECRETARY  
DEPARTMENT OF HOME  
VIDHANA SOUDHA  
DR. B.R. AMBEDKAR VEEDHI  
BANGALORE-560 001.
2. THE COMMISSIONER OF POLICE  
BANGALORE CITY  
INFANTRY ROAD  
BANGALORE-560 001.

3. THE INSPECTOR OF POLICE  
HEBBAGODI POLICE STATION  
BANGALORE URBAN DISTRICT  
BANGALORE.
4. SRI. MOHANA  
MAJOR  
S/O NARASIMHAIAH @  
NARASIMHAMURTHY  
R/O BELLAVI HOBLI  
TUMKUR TALUK & DISTRICT.

... RESPONDENTS

(BY SRI. E.S. INDIRESH, HCGP FOR R1 TO R3)

THIS WPHC IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE RESPONDENTS TO TRACE THE PETITIONER'S DAUGHTER DEEPASHREE A.N. AND PRODUCE HER BEFORE THE HON'BLE HIGH COURT AND HAND OVER HER TO THE CUSTODY OF THE PETITIONER.

THIS WPHC COMING ON FOR ORDERS THIS DAY, N.K. PATIL, J., MADE THE FOLLOWING:-

### ORDER

In the instant case, the petitioner has sought for a direction to the respondents to trace the petitioner's daughter Deepashree A.N. and produce her before the High Court and thereafter handover her to the custody of the petitioner-father in the interest of justice and equity.

2. We have heard the learned counsel appearing for the petitioner and the learned

Government Pleader appearing for respondent Nos.1 to 3.

3. Respondent No.4 and Smt.Deepashree A.N. are present before the Court and their presence is placed on record.

4. In the light of the statements made in the counter affidavit filed by the learned Government Pleader appearing for respondent Nos.1 to 3 and for the reasons stated therein, the prayer sought by the petitioner does not survive for consideration. Hence, the petition stands disposed of as having become infructuous.

Learned Government Pleader is permitted to file memo of appearance for respondent Nos.1 to 3 within four weeks from today.

**Sd/-  
JUDGE**

**Sd/-  
JUDGE**

PMR