HC-KAR
NC: 2026:KHC:61970
WP No. 34579 of 2026
CNR: KAHC010766162026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 6TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

WRIT PETITION NO. 34579 OF 2026 (GM-RES)

BETWEEN:

OZONE URBANA BUYER WELFARE ASSOCIATION,
REPRESENTED BY ITS PRESIDENT,
SRI. ERROL JOHN NORONHA,
SON OF LATE SH. RONALD NORONHA,
AGED ABOUT 52 YEARS,
RESIDING AT HOUSE OF HIRANANDANI,
CALAGARY B 103, DEVANAHALLI,
BENGALURU-562110.

…PETITIONER

(BY SRI SATHIES KUMAR S,ADVOCATE)

AND:

1. DIRECTORATE OF ENFORCEMENT,
   BENGALURU ZONAL OFFICE,
   REPRESENTED BY ITS ASSISTANT
   DIRECTOR/INVESTIGATING OFFICER,
   ADDRESS 3RD FLOOR, BMTC BUILDING,
   B BLOCK, BEHIND RELIANCE MARKET,
   K.H. ROAD (KASTURBA GANDHI ROAD/MISSION
   ROAD AREA), SHANTHINAGAR,
   BENGALURU, KARNATAKA 560027.

2. SRI S. VASUDEVAN SATHYAMOORTHY,
   CHAIRMAN AND MANAGING DIRECTOR
   M/S. OZONE URBANA INFRA DEVELOPERS PVT. LTD.
   ADDRESS NO.32, NORRIS ROAD,
   RICHMOND TOWN, BANGALORE-560025.

…RESPONDENTS

(BY SRI MADHU N RAO, SPP FOR R1,
SRI M S SHYAM SUNDAR, SENIOR COUNSEL FOR
SRI DEEPAK BHASKAR,ADVOCATE FOR C/R2)

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RAMNATH HEGDE

THIS WP IS FILED UNDER ARTICLES 226 OF THE CONSTITUTION OF INDIA, 1950 READ WITH SECTION 528 OF THE BHARTIYA NAGARIK SURAKSHA SANHITA, 2023 PRAYING TO CALLING FOR THE RECORDS IN CRL. MISC NO. 10421/2026 ON THE FILE OF THE LD. XXI ADDL. CITY CIVIL AND SESSIONS JUDGE AND PRL. SPECIAL JUDGE FOR CBI CASES AND SPECIAL JUDGE FOR PMLA CASES (CCH-4) BENGALURU AND QUASH THE ORDER DATED 28.10.2026 (ANNX-A) PASSED THEREIN INSOFAR AS IT DISMISSES THE APPLICATION OF THE PETITIONER AND ETC.

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

CORAM: HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

ORAL ORDER

Heard the learned counsel appearing for the petitioner, the learned counsel appearing for the respondent no.1 and the learned Senior Counsel appearing for respondent No.2.

2. This case is listed today pursuant to the memo filed by the counsel for the petitioner. It was brought to the notice of the Court the order passed by the Apex Court in Special Leave Petition in Diary No.68139/2026.

3. The order reads as under:

"O R D E R

1. Permission to file special leave petition is granted.

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2. The impugned order has been passed by the Additional City Civil and Sessions Judge and Principal Special Judge for CBI Cases and Special Judge for PMLA Cases, Bengaluru. The petitioner - Association, if so advised, may challenge that order before the High Court and may pray for interim relief.

3. Having regard to the nature of urgency, we request the High Court to entertain the petition and pass appropriate orders at the earliest.

4. It is made clear that we have not expressed any opinion on merits.

5. The Special Leave Petition is, accordingly, disposed of.

6. Pending applications, if any, also stand disposed of."

4. It is an admitted fact that the bail petition filed by the respondent no.2 is posted for orders on 11.11.2026. The petitioner had sought to intervene in the proceeding and urged a contention that respondent No.2 has to be heard before passing the order. Petitioner's contention was rejected. Hence, the petitioner approached the Apex Court. The Apex Court has passed the order referred to above.

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5. Heard the learned counsel for the petitioner and the learned Additional SPP for the first respondent and learned Senior Counsel for second respondent.

6. After arguing for some time learned Senior Counsel for the second respondent would submit that the question of law raised in the present petition - whether the victim can be heard in a bail petition be kept open and without prejudice to the contention set by respondent no.2 that the victim has no right of audience while considering the bail plea, the petitioner in the peculiar facts of the case be permitted to make submissions in the bail petition, on 07.11.2026 and let the petitioner make an endeavour to conclude the argument tomorrow itself.

7. Learned counsel for the petitioner would submit that respondent no.2 has produced documents running in excess of 2000 pages. Hence, the petitioner may have to address an elaborate argument.

8. The admitted factual position is that the respondent no.2 is in custody since 30.09.2026. Under these

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circumstances, the Court is of the view that the petitioner shall commence his argument tomorrow i.e. 07.11.2026 and there shall be an honest attempt to conclude the argument tomorrow. For valid reasons if the Trial Court finds that the argument is not complete, then by 12.11.2026 the argument shall be completed. At any rate, the argument shall be concluded by Thursday i.e. 12.11.2026 and thereafter, the Court shall pass appropriate orders. Needless to say that, the respondent No.2 shall have the opportunity to respond to the submissions of the petitioner.

9. It is made clear that this Court has not expressed anything on the merits of the matter.

10. The question of law raised is kept open to be considered in appropriate proceeding.

11. Learned Senior Counsel for the respondent no.2 shall serve the soft copy of all the documents produced by the respondent No.2 before the Trial Court to the counsel for the petitioner.

12. The petition is ***disposed of.***

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RAMNATH HEGDE

13. This order shall be communicated to the jurisdictional Trial Court.

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(ANANT RAMANATH HEGDE)
JUDGE

CHS
List No.: 4 Sl No.: 3
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