



CNR: KAHC010020692024

NC: 2026:KHC:48937
CRL.P No. 459 of 2024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 9TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE RAJESH RAI K

CRIMINAL PETITION NO. 459 OF 2024

BETWEEN:

DEEPAK KUMAR AGRAWAL,
S/O KRISHNA GOPAL AGRAWAL,
AGED ABOUT 38 YEARS,
R/AT NO.302, A BLOCK,
D.S.MAX SIGNATURE, LKR NAGAR,
DEVINAGAR, RMC EXTENSION POST,
BENGALURU CITY, KARNATAKA - 560094.

ALSO AT
RESIDENT OF FLAT NO.201,
PRESTIGE MONTE APARTMENT,
DODDABALLAPURA MAIN ROAD,
YELAHANKA, BENGALURU - 560064.

2. SRI KRISHNA GOPAL AGRAWAL,
S/O
AGED ABOUT 61 YEARS,
3. SMT. VIDYADEVI,
W/O KRISHNA GOPAL AGARWAL
AGED ABOUT 55 YEARS,
PETITIONER NO.2 AND 3 ARE
R/AT SRI TARA VATIKA, FLAT NO.2C,

Digitally signed
by PANKAJA S
Location: HIGH
COURT OF
KARNATAKA



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LATAGALLI, DEEPA TOLI GATE NO.2,
RANCHI, JHARKHAND - 834 001

...PETITIONERS

(BY SRI. UDAYA PRAKASH MULIYA, ADVOCATE)

AND:

1. STATE BY
KODIGEHALI POLICE STATION,
BENGALURU,
REPRESENTED BY ITS SPP,
HIGH COURT OF KARNATAKA,
BANGALORE - 560001.
2. SMT. NEHA AGARWAL,
W/O. SRI DEEPAK KUMAR AGRAWAL,
AGED ABOUT 29 YEARS,
R/AT NO.302, A BLOCK,
D.S.MAX, SIGNATURE, LKR NAGAR,
DEVINAGAR, RMV EXTENSION POST,
BENGALURU CITY,
KARNATAKA - 560094.

...RESPONDENTS

(BY SRI.MAHESH P., HCGP FOR R-1)

THIS CRL.P IS FILED U/S.482 CR.P.C PRAYING TO QUASH THE ENTIRE PROCEEDINGS IN C.C.NO.16273/2020 ON THE FILE OF VII ADDL.C.M.M., BENGALURU FOR THE OFFENCE P/U/S 498-A R/W 34 OF IPC AND SECTION 3 AND 4 OF D.P. ACT INCLUDING COMPLAINT, FIR, CHARGE SHEET IN CR.NO.141/2019 REGISTERED BY THE RESPONDENT POLICE AND ALLOW THIS PETITION.

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



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CORAM: HON'BLE MR. JUSTICE RAJESH RAI K

ORAL ORDER

This petition is filed under Section 482 of Cr.P.C. seeking to quash the proceedings in CC No.16273/2020 arising out of Crime No.141/2019 dated 20.10.2019 filed by Kodigehalli Police Station, Bengaluru City, against petitioners/accused Nos.1 to 3 for the offence punishable under Section 498(A) r/w 34 of IPC and Section 3 and 4 of Dowry Prohibition Act, currently pending on the file of VII ACMM, Bengaluru.

2. The factual matrix of the case is that the marriage of respondent No.2-complainant was solemnized with petitioner No.1 on 05.03.2016. It is alleged in the complaint that, at the time of marriage, petitioner No.1 and his family members demanded dowry from respondent No.2 and her parents. After the marriage, respondent No.2 started residing at the matrimonial home and lived cordially with the petitioners for a few months. Thereafter, petitioner No.1 and the other petitioners allegedly started subjecting respondent No.2 to physical and mental harassment demanding additional dowry,



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and ultimately, she was thrown out of the matrimonial home on 30.09.2019. Since then, she has been residing at her parental home. Hence, she lodged a complaint before respondent No.1-Police. On the strength of the said complaint, respondent No.1-Police registered FIR in Crime No.141/2019 for the aforementioned offences. Subsequently, respondent No.1-Police filed the charge-sheet against the petitioners, and the learned Magistrate took cognizance of the offences. Being aggrieved by the same, the petitioners have approached this Court seeking to quash the proceedings.

3. Heard learned counsel for the petitioners and learned HCGP. Despite service of notice, respondent No.2, remained absent. It is submitted by learned counsel for the petitioners that respondent No.2 is residing in abroad.

4. The learned counsel for the petitioners primarily contended that the matrimonial dispute between the petitioners and respondent No.2 has been amicably settled in M.C.No.4722/2019 filed by petitioner No.1 against respondent No.2 seeking a decree of divorce. According to the learned



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counsel, the decree of divorce was granted by the II Additional Principal Judge, Family Court, Bengaluru, vide judgment dated 04.07.2022. In the memorandum of settlement entered into between the parties before the Mediation Centre, respondent No.2 specifically agreed, as set out in paragraph No.7 thereof, which reads as under:

"7. The respondent has agreed to co-operate in closing/quashing the proceedings in C.C.No.16273/2020 pending before ACMM-VII, Bengaluru for the offence punishable under Section 498-A R/W Section 3 & 4 of D.P.Act."

4.1 As such, he submitted that respondent No.2 is residing abroad and, therefore, has neither appeared before this Court nor contested the criminal proceedings before the Trial Court. Hence, he prayed to allow the petition.

5. *Per contra*, the learned HCGP did not dispute the assertions made by the learned counsel for the petitioners.

6. I have carefully perused the entire charge-sheet materials and the memorandum of settlement dated 04.07.2022 placed on record by the learned counsel for the petitioners. On perusal of clause (7) of the settlement, it is evident that respondent



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No.2 has specifically agreed to co-operate in closing/quashing the proceedings in C.C.No.16273/2020, which are the impugned proceedings challenged in the present petition.

7. Further, as asserted by the learned counsel for the petitioners, respondent No.2 has not contested the matter before the Trial Court. Hence, it can be presumed that the dispute between respondent No.2 and the petitioners has been amicably settled. Additionally, a decree of divorce has also been passed dissolving the marriage between petitioner No.1 and respondent No.2.

8. In such circumstances, I am of the considered opinion that continuation of the criminal proceedings against the petitioners would amount to an abuse of the process of law. Accordingly, I proceed to pass the following:

ORDER

- i. The criminal petition is ***allowed***.
- ii. The proceedings in CC No.16273/2020 arising out of Crime No.141/2019 dated 20.10.2019 filed by Kodigehalli Police Station,



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Bengaluru City, against petitioners/accused Nos.1 to 3 for the offence punishable under Section 498(A) r/w 34 of IPC and Section 3 and 4 of Dowry Prohibition Act, currently pending on the file of VII ACMM, Bengaluru is hereby quashed.

**SD/-
(RAJESH RAI K)
JUDGE**

GPG
List No.: 1 SI No.: 1