



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 12TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE MOHAMMAD NAWAZ

CRIMINAL PETITION NO. 2236 OF 2026

BETWEEN:

1. SRI. LOKESH ALIAS ANNE LOKESH
S/O HANUMANTHAPPA,
AGED ABOUT 37 YEARS,
R/AT: VINAYAKA TEMPLE BACK SIDE,
KAGGALIPURA VILLAGE,
UTTARAHALLI HOBLI,
BENGALURU SOUTH TALUK,
BENGALURU DISTRICT,
BENGALURU-560 116.
2. SRI. SHANKARA ALIAS VIJAYASHANKARA
S/O CHANDRA SHEKAR,
AGED ABOUT 43 YEARS,
R/AT: KAGGALIPURA VILLAGE,
UTTARAHALLI HOBLI,
BENGALURU SOUTH TALUK,
BENGALURU DISTRICT,
BENGALURU-560 116.
3. SRI. CHETHAN
S/O HANUMANTHAPPA,
AGED ABOUT 35 YEARS,
R/AT: GANESHA TEMPLE BACK SIDE,
KAGGALIPURA VILLAGE,
UTTARAHALLI HOBLI,
BENGALURU SOUTH TALUK,
BENGALURU DISTRICT,
BENGALURU-560 116.

...PETITIONERS

(BY SRI. PRAVEEN KUMAR K.S., ADVOCATE)



AND:

1. THE STATE OF KARNATAKA
BY KAGGALIPURA POLICE STATION,
HAROHALLI CIRCLE,
BENGALURU SOUTH DISTRICT,
REPRESENTED BY
STATE PUBLIC PROSECUTOR,
HIGH COURT BUILDING,
BENGALURU-560 001.
2. SRI. J. DHANRAJ
S/O JAGADEESH,
AGED ABOUT 32 YEARS,
R/AT: NEAR ADISHAKTHI
VISHALAMMA TEMPLE,
TATAHUNI VILLAGE, KENGERI HOBLI,
BENGALURU SOUTH TALUK,
BENGALURU-560082

...RESPONDENTS

(BY SRI. RAHUL RAI K., HCGP FOR R1;
SRI. GIRISH A.R., ADVOCATE FOR R2)

THIS CRL.P IS FILED U/S 482 CR.PC (FILED U/S 528 BNSS), PRAYING TO: (A) CALL FOR THE RELEVANT RECORDS; (B) QUASH THE CRIMINAL CASE IN S.C.NO.69/2021 PENDING ON THE FIEL OF IX ADDL. DISTRICT AND SESSIONS JUDGE, BENGALURU RURAL DISTRICT AT BENGALURU, FOR THE OFFENCE PUNISHABLE UNDER SECTIONS 307, 323, 324, 326, R/W 34 OF I.P.C., AGAINST THE PETITIONERS.

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

CORAM: HON'BLE MR. JUSTICE MOHAMMAD NAWAZ



ORAL ORDER

This petition is preferred under Section 528 of BNSS r/w Section 482 of Cr.P.C., praying to quash the criminal proceedings pending against the petitioners in SC No.69/2021 on the file of the Court of IX Additional District and Sessions Judge, Bengaluru Rural District, Bengaluru.

2. On a complaint lodged by respondent No.2/defaco complainant-J.Dhanraj, a case in FIR No.296/2019 was registered at Kaggalipura Police Station against accused Nos.1 to 3 and three others for offence punishable under Section 323, 324, 307, 34 of IPC.

3. The gist of the complaint is that, on 25.12.2019, the first informant along with his friend Dhananjay while returning to their village on a Honda Activa bearing registration No.KA-05-JG-3335, went to a Beeda shop situated opposite to one Vinayaka Bar and Restaurant. Accused Nos.1 to 3, who were also standing



near the Beeda shop, on account of previous ill-will, picked up a quarrel and accused No.1 assaulted the first informant with an iron rod on his head, causing bleeding injuries and again tried to assault him and at that time the first informant tried to avoid the said blow, but sustained injuries to his hand. When his friend Dhananjay intervened, accused No.2 assaulted on his back with a repiece patti and also assaulted the first informant on his back and face and accused No.3 assaulted them with hands and kicked them etc.

4. Chargesheet came to be filed against accused Nos.1 to 3 for the offence punishable under Section 307, 323, 324, 326 r/w 34 of IPC. After committal of the case, charges were framed. The trial is pending on the file of the Court of IX Additional District and Sessions Judge at Bengaluru in SC No.69/2021.

5. A compromise petition is filed under Section 320 of Cr.P.C. r/w Section 359 of BNSS signed by the petitioners and respondent No.2/defacto complainant as



well as the learned counsels appearing for the parties. The said compromise petition is accompanied by an affidavit filed by petitioner No.1/accused No.1 and defacto complainant/respondent No.2.

6. It is stated that the parties are from the neighbouring villages and in order to lead a peaceful future life in the society and on intervention of the elders and well wishers, respondent No.2/defacto complainant has unconditionally withdrawn all the allegations made in the complaint, statement and evidence in his examination-in-chief before the trial Court.

7. An affidavit is also filed by the injured Dhananjay, cited as CW2 in the charge sheet. He has also stated that he has agreed to compromise the matter and withdraw all the allegations made against the petitioners in order to lead a peaceful future life in the society.

8. Learned HCGP would contend that Section 307 and 326 of IPC are invoked in this case and one of the



injured i.e. CW1/defacto complainant has sustained grievous injuries and therefore, the petitioners are not entitled to the relief sought for by them.

9. I have perused the wound certificates of both the injured. The defacto complainant-Dhanraj J. has sustained three injuries namely (i) sutured wound over left parietal region (ii) sutured wound over left forehead and (iii) left hand swollen and tender. It is stated that injury Nos.(i) and (ii) are simple in nature and injury No.(iii) is grievous in nature. The said injury is to the left hand, wherein he has sustained displaced fracture of left 2nd metacarpal bone.

10. With regard to the injury sustained by CW2-Dhananjay, the wound certificate shows that he has sustained one abrasion, swelling and tenderness, stated to be simple in nature.

11. Both the injured i.e., accused as well as respondent No.2/defacto complainant are present before



the Court. They submitted that they have compromised the matter as they want to lead a peaceful life in future. They further submitted that in view of the settlement arrived between them, they are not interested to proceed with the case any further and they have no objection to quash the proceedings.

12. It is relevant to refer to the judgment of the Hon'ble Apex Court in **Narinder Singh & Others v. State of Punjab & Anr.** reported in **(2014) 6 SCC 466.**

Para 29.6 of the judgment is extracted hereunder:

"29.6. Offences under Section 307 IPC would fall in the category of heinous and serious offences and therefore are to be generally treated as crime against the society and not against the individual alone. However, the High Court would not rest its decision merely because there is a mention of Section 307 IPC in the FIR or the charge is framed under this provision. It would be open to the High Court to examine as to whether incorporation of Section 307 IPC is there for the sake of it or the prosecution has collected sufficient evidence, which if proved, would lead to



proving the charge under Section 307 IPC. For this purpose, it would be open to the High Court to go by the nature of injury sustained, whether such injury is inflicted on the vital/delegate parts of the body, nature of weapons used, etc. Medical report in respect of injuries suffered by the victim can generally be the guiding factor. On the basis of this prima facie analysis, the High Court can examine as to whether there is a strong possibility of conviction or the chances of conviction are remote and bleak. In the former case it can refuse to accept the settlement and quash the criminal proceedings whereas in the latter case it would be permissible for the High Court to accept the plea compounding the offence based on complete settlement between the parties. At this stage, the Court can also be swayed by the fact that the settlement between the parties is going to result in harmony between them which may improve their future relationship."

13. In the complaint it is alleged that the first informant was assaulted with an iron rod as well as repiece patti, whereas in the wound certificate it is stated assault is by a wood piece. There is no mention of assault by iron rod. The grievous injury stated in the wound



certificate pertaining to the first informant relates to the injury sustained by him to his left hand, which cannot be said to be a vital part of the body. Even otherwise, perusal of the complaint averments goes to show that the quarrel took place suddenly and there was no intention for the accused to do away with the life of either CW1 or CW2. Hence, the ingredients of Section 307 of IPC cannot be said to have been made out.

14. This Court having regard to the facts and circumstances of the case and the settlement arrived between the parties, is of the view that the settlement will result in harmony between them and may improve their future relationship. Hence, in the interest of justice, it is just and proper to allow the petition and quash the proceedings. Accordingly, the following:

ORDER

- i. Petition is **allowed**.



- ii. The entire proceedings in SC No.69/2021 pending on the file of the Court of IX Additional District and Sessions Judge, Bengaluru Rural District, Bengaluru, are **quashed**.
- iii. I.A.Nos.1/2026 and 2/2026 are **allowed**.

Sd/-
(MOHAMMAD NAWAZ)
JUDGE