



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE RAVI V HOSMANI

CRIMINAL PETITION NO. 3148 OF 2022

BETWEEN:

SRI NISHCHITH SHETTY
S/O LATE BHASKAR SHETTY,
AGED ABOUT 47 YEARS,
PRAJYOTHA, NO. 115/A,
9TH MAIN, RMV EXTENSION,
SADASHIVANAGAR
BENGALURU - 560 025

...PETITIONER

(BY SMT. LAKSHMY IYENGAR, SENIOR ADVOCATE FOR
SMT. ANKITHA G. SHELKE, ADVOCATE FOR
SRI. ADITYA BHAT, ADVOCATE)

AND:

1. STATE OF KARNATAKA BY
SADASHIVANAGAR POLICE STATION,
REPRESENTED BY ITS PUBLIC PROSECUTOR.
HIGH COURT OF KARNATAKA
BENGALURU - 560 001

2. SMT. MEGHANA NISCHITA SHETTY
S/O NISHCHITH BHASKAR SHETTY,
AGED ABOUT 41 YEARS,
R/AT NO. G2, BLOCK
ESTEEM RETREAT, VIJAYA FARMS
RMV 2ND STAGE, BENGALURU - 560 094

...RESPONDENTS

(BY SRI. JAVEED S., HCGP FOR R1
SRI. AMITH M. MANDGI, ADVOCATE FOR R2 - ABSENT)

THIS CRL.P IS FILED U/S. 482 CR.P.C BY THE ADVOCATE FOR
THE PETITIONER PRAYING THAT THIS HONOURABLE COURT MAY BE
PLEASED TO QUASH THE IMPUGNED FIR AND COMPLAINT
REGISTERED IN CR.NO.41/2022 DATED 26.03.2022 FILED BY THE
RESPONDENT NO.1 SADASHIVANAGARA P.S., AGAINST THE
PETITIONER HEREIN FOR THE ALLEGED OFFENCE P/U/S

Digitally signed
by ANUSHA V
Location: High
Court of
Karnataka



494,34,398A,114 OF IPC BEFORE THE 39TH ACMM, NRUPATUNGA ROAD, BANGALORE PRODUCED AS ANNEXURE-A AND B.

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

CORAM: HON'BLE MR. JUSTICE RAVI V HOSMANI

ORAL ORDER

Challenging registration of Crime no.41/2022 on 26.03.2022 in pursuance to complaint at Annexure-'B' by respondent no.2 for offences punishable under Sections 494, 34, 498A, 114 of IPC, presently stated to be pending on file of XXXIX Addl. Chief Judicial Magistrate Court, Bengaluru, this petition is filed.

2. Smt.Ankitha G. Shelke, learned counsel appearing for Sri Aditya Bhat, learned counsel for petitioner submitted that petitioner was accused no.1 in complaint. It was submitted that complainant was wife of petitioner no.1. Their marriage was solemnized on 02.11.2003 at Iskcon Temple, Bengaluru. From said marriage, two children namely, Ishanvi and Krishav were born. However, during year 2022, there was matrimonial



discord between parties leading to filing of complaint by respondent no.2 before Sanjay Nagar Police Station on 28.02.2022. Same was registered as NCR no.23/2022 and closed by directing parties to approach Family Court for resolution of disputes. Another complaint was also closed in NCR no.35/2022.

3. But third complaint was registered as Crime no.41/2022. It was submitted complainant later filed MC no.2325/2025 before II Additional Principal Judge, Family Court at Bengaluru, for dissolution of marriage.

4. Said matter ended in settlement on 16.04.2026, terms reading as under:

"I. The above petition is filed by the Petitioner against the Respondent under Section 13 (1) (i-a) of the Hindu Marriage Act, for dissolution of her marriage by a decree of divorce.

The parties hereto are Hindus and their marriage solemnized on 02-11-2003 at ISKCON Temple, Bengaluru, as per Hindu customs and traditions. Subsequently their marriage was registered on 13.05.2005 vide No.79/2005-06



on page 281 of Volume-XI, before the Registrar of Marriages, Gandhinagar, Bengaluru.

Both the parties further confirm that from this lawful wedlock, the couple are, blessed with two children and of which the first one is a Female child born on 19.03.2007 and named Ishanvi now aged 19 years. The second one is a male child born on 15-02-2013 named Krishav. Parties states that presently the male child is in the care and custody of the Petitioner/Mother in Bengaluru and the Female child has attained majority and is pursuing her studies at Bombay staying in the college Hostel.

The Parties further state that due to certain irreconcilable differences and incompatibility of temperaments their marital relationship has suffered an irretrievable breakdown making it impossible for them to continue living together as husband and wife. Consequently, both the parties have been living separately from each other since February 2022. Despite all sincere attempts and efforts made by their respective relatives, friends and well-wishers to reconcile their differences proved futile. In the light of the above, the Petitioner has filed the above petition against the Respondent for a decree of divorce.

The Petitioner stated to has also filed a criminal complainant against the Respondent in crime No.41/2022 before the Sadashivanagara Police Station for the alleged offences under section 498A, 494, 34 and 114 of IPC and the said case is now pending consideration before XXXIX ACJM, Bengaluru.

The Respondent stated to has filed a Petition in Crl.P. No.3148/2022, before the Hon'ble High Court of Karnataka, Bengaluru for quashing the FIR/Crime No.41/2022, filed by



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the Petitioner and he confirms that the Criminal Petition filed by the Petitioner said to have stayed by the Hon'ble High court. The Respondent further states that he also filed a petition in M.C. No.2449/2022, against the Petitioner under section 9 of the Hindu Marriage Act for restitution of conjugal life and the said petition is pending before this Hon'ble Court.

The above Cases have been referred to mediation, for resolving the disputes between the parties and in the course of mediation, the petitioner present as party in person, the Respondent along with his Advocate present, the parties identified each other and have resolved all their disputes by agreeing to the following terms and conditions:

1. That the parties hereto hereby unequivocally confirm and acknowledge that they have been living separately and could not reconcile themselves until this date and there is no possibility reunion among them in the future. Therefore, the parties hereto have now agreed and firmly decided to get the marriage between them dissolved by a decree of divorce.

2. The Petitioner being unemployed and expressing her inability to manage herself in Bengaluru decided to move to her parent's house at Bombay for shelter and in the light of the above she hereby agreed to give-up all her right to claim maintenance or permanent alimony against the Respondent. She further confirms that she absolutely has no claims in whatsoever nature against the respondent either, for the past or present or in future, including any claims against respondent in respect of his existing movable or immovable properties or the properties that he may acquire in future.



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3. That the Respondent hereby confirm and acknowledge that presently the minor male child Krishav, is in the care and custody of the Petitioner/Mother and the child continued to be under the care and custody of the Petitioner/Mother till the child attains majority and the Respondent/Father has no objection for the same. However, the parties agree that the Respondent/father shall have the liberty to visit the child unconditionally, with prior intimation to the Petitioner/Mother.

4. However, taking the welfare, wellbeing and interest of the minor child as paramount consideration, the parties have agreed for the following terms:

- i) The Petitioner/mother since not employed and difficult to maintain herself in Bengaluru, decided to shift her abode to Bombay to her parent's house and as such would take her minor child to Bombay and admit him to any good school to pursue his further education and the Respondent/Father has no objection for the same.*
- ii) That the Respondent/Father hereby agree and undertake to meet the entire educational expenditures of the child, until the child completes his education.*
- iii) The Respondent/Father shall have unconditional visitation to his child provided, the Respondent gives prior intimation to the petitioner regarding the date and time of his visitation to his child, in order to facilitate and*



prepare the child to co-operate with the Respondent/Father to exercise his visitation.

- iv) Both the parties have agreed that during the summer and winter vacations of the child would be shared equally between them and they would mutually agree in respect of the dates as and when required.*
- v) That the Respondent hereby agree, undertake and ensure that his visits to his child shall not interfere, hamper or disturb the child's regular schooling or academic schedules or activities.*
- vi) That the Respondent/Father has further agreed to meet all other upbringing expenditures of the child as is being done by him without fail till the child secure an employment.*
- vii) Both, the petitioner and Respondent hereby agree and undertake that they shall co-ordinate and co-operate each other while taking any decisions regarding the child's education, selection of the School, attending the parent's meetings and also co-operate with each other regarding signing the documents or other documentations, in connection with the child as and when required.*
- viii) The Respondent/Father, hereby further agree and undertake that he shall also meet all the expenditures of their daughter who attained majority which includes her educational,*



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medical and her marriage expenditures etc. without fail.

5. That the parties hereby confirm that there are no personal belongings are available to be exchanged between each other including any of their gold jewelries and other articles given to each other at the time of their marriage and they shall not have any claims against each other in this regard, in future.

6. The Petitioner confirms that that the car bearing Reg.No.KA03, NG-1050, which the respondent claims is in the possession of the Petitioner, is not in her possession and she has no objection if the respondent lodges a police complaint regarding the Car.

7. The Respondent hereby confirms that in view of the above settlement, there is nothing to pursue in the Petition M.C.No.2449/2022, against the Petitioner under section 9 of the Hindu Marriage Act for restitution of conjugal life and as such the Respondent hereby agree and undertakes to withdraw the said petition forthwith, in terms of the above settlement.

8. That, in pursuance of the above settlement, the Petitioner hereby agree and undertake, to assist and co-operate with the Respondent, to close/quash, the criminal complaint filed by her against the Petitioner in FIR/Crime No.41/2022, which is now pending consideration before the XXXIX ACJM, Bengaluru, either before the Trial Court OR before the High Court, in Crl. Pet. No.3148/2022, filed for quashing, the said criminal case, in terms of this settlement.

9. That in pursuance of the above settlement and subject to the terms and conditions herein above agreed, both the parties hereby agree



and undertake that they will not interfere in the lives of each other in future.

10. Both the parties hereby confirm that they have gone through the agreement and understood the terms and signed this agreement on their free will and volition and there is absolutely no force or coercion from anybody."

5. Even pendency of above Criminal Petition challenging proceedings in Crime no.41/2022 was taken into account and as per clause 8 of settlement, respondent-complainant had agreed to co-operate for quashing of said proceedings. Hence, to secure ends of justice, petitioner was required to be allowed.

6. Learned High Court Government Pleader for respondent no.1, though submitted that contents of complaint disclosed material for registration of FIR, however, would submit that appropriate orders may be passed taking note of settlement.

7. None appears for respondent no.2.



8. Heard learned counsel and perused material on record.

9. At outset, it is seen that circumstance that led to filing of complaint is matrimonial discord, which had also led to filing of petition for divorce. Since petition for divorce has ended in a settlement, in terms of which, parties agreed to cooperate for quashing of proceedings impugned herein, no useful purpose would be served by allowing proceedings to continue.

Therefore, on ground that quashing of proceedings was required to secure ends of justice, petition is ***allowed*** and proceedings in Crime no.41/2022, stands quashed.

Sd/-
(RAVI V HOSMANI)
JUDGE

PSJ
List No.: 1 Sl No.: 48