



CNR: KAHC010175532024

NC: 2026:KHC:48675
CRL.P No. 3151 of 2024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 8TH DAY OF SEPTEMBER, 2026
BEFORE
THE HON'BLE MR. JUSTICE RAJESH RAI K
CRIMINAL PETITION NO. 3151 OF 2024

BETWEEN:

SRI. ARUN KUMAR NAIK.K
AGED ABOUT 34 YEARS
SON OF LATE KRISHNA NAIK
RESIDNG AT HOUSE NO. 4/2
5TH MAIN, 2ND CROSS
BSK 2ND STAGE
KADIRENAHALLI NEW COLONY
BANGALORE 560 070

...PETITIONER

(BY SRI. ROSHAN M.C, ADVOCATE)

AND:

1. STATE BY BASAVANAGUDI
WOMEN POLICE STATION
REPRESENTED BY STATE PUBLIC PROSECUTOR
HIGH COURT OF KARNATAKA
BANGALORE 560 001
2. SMT. PRAMILA BAI .PL
AGED ABOUT 23 YEARS
D/O PUTTA NAIK
R/A KONALUDODDI VILLAGE
GUTTHALAHUNASE POST
MARALAVADI HOBLI,
KANAKAPURA TALUK
RAMANAGAR 562 121

...RESPONDENTS

(BY SRI. JAVEED S, HCGP FOR R1,
SRI. SRIDHARA D.R, ADVOCATE FOR R2)

Digitally signed
by PANKAJA S
Location: HIGH
COURT OF
KARNATAKA



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THIS CRL.P IS FILED U/S.482 OF CR.P.C PRAYING TO ALLOW THIS PETITION AND QUASH THE IMPUGNED COMPLAINT DATED 16.05.2023 IN CR.NO.112/2023 FILED BY BASAVANAGUDI P.S., FOR THE OFFENCE P/U/S 498A, 504, 506 OF IPC AND SEC. 3, 4 OF D.P. ACT, VIDE ANNEXURE-B AND FIR DATED 18.05.2023 VIDE ANNEXURE-A AND CHARGE SHEET AND CONSEQUENTLY QUASH THE ENTIRE PROCEEDINGS IN C.C.NO.4156/2024 PENDING ON THE FILE OF HON'BLE 37TH A.C.M.M AT BENGALURU.

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

CORAM: HON'BLE MR. JUSTICE RAJESH RAI K

ORAL ORDER

This petition is filed to quash the proceedings in C.C.No.4156/2024, arising out of Crime No.112/2023, registered by Basavanagudi Women Police Station, for the offences punishable under Sections 498A, 504 and 506 of IPC and Sections 3 and 4 of Dowry Prohibition Act.

2. Today, learned counsel appearing on either side have filed a joint memo stating that the parties have amicably settled their dispute out of Court. The joint memo reads as under:



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"1. That the above petition is preferred by the Petitioner herein challenging the FIR and complaint and subsequently quashing the entire proceedings in C.C. No. 4156/2024 pending before the Hon'ble 37th Addl. Chief Metropolitan Magistrate at Bengaluru.

2. That on 22.06.2022 the marriage of Petitioner and the respondent was solemnized at Punyashetra Sri. Dharmagiri Manjunatha Swami, Bengaluru.

3. It is further submitted that after the marriage between the parties the Respondent No. 2 herein due the un cordial relationship between the parties herein had filed a FIR in Cr. No. 112/2023 for the offences punishable under Sec 498A, 313, 504, 506 of the IPC and Sec 3 & 4 of the Dowry Prohibition Act against the petitioner herein and further the Respondent police herein had also filed charge sheet in the said crime in C.C. No. 4156/2024.

4. It is further submitted that the petitioner herein had preferred a petition before the Prl. Family Judge at Bengaluru in M.C. No. 5312/2023 seeking decree of divorce and further in the said matter with the interference from the elders and well wishers the matter came to be settled before the mediation vide memorandum of settlement on 02/07/2026. As per the settlement it is made clear that the D.D and the gold ornaments will be exchanged before the Hon'ble High Court of Karnataka in Crl. Pt. No. 3151/2024.



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5. It is further submitted that the Respondent No.2 herein is not pressing the charges against the petitioner and also her mother-in-law herein in C.C No. 1456/2024 and as such praying this Hon'ble court to quash the proceedings in C.C. No. 4156/2024 as the matrimonial knout between the parties came to end."

3. The parties to the proceedings are present before the Court and they have affixed their signatures on the joint memo. The joint memo is taken on record.

4. Though the offence under Section 498A of IPC is non-compoundable in nature, apparently, the same can be considered as per the judgment of the Hon'ble Apex Court in the case of ***The State Of Madhya Pradesh vs Laxmi Narayan*** reported in **2019 (5) SCC 688** in paragraph No.13 as under:

"13. *Considering the law on the point and the other decisions of this Court on the point, referred to hereinabove, it is observed and held as under:*

i) that the power conferred under Section 482 of the Code to quash the criminal proceedings for the non-



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compoundable offences under Section 320 of the Code can be exercised having overwhelmingly and predominantly the civil character, particularly those arising out of commercial transactions or arising out of matrimonial relationship or family disputes and when the parties have resolved the entire dispute amongst themselves;

ii) such power is not to be exercised in those prosecutions which involved heinous and serious offences of mental depravity or offences like murder, rape, dacoity, etc. Such offences are not private in nature and have a serious impact on society;

iii) similarly, such power is not to be exercised for the offences under the special statutes like Prevention of Corruption Act or the offences committed by public servants while working in that capacity are not to be quashed merely on the basis of compromise between the victim and the offender;

iv) offences under Section 307 IPC and the Arms Act etc. would fall in the category of heinous and serious offences and therefore are to be treated as crime against the society and not



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against the individual alone, and therefore, the criminal proceedings for the offence under Section 307 IPC and/or the Arms Act etc. which have a serious impact on the society cannot be quashed in exercise of powers under Section 482 of the Code, on the ground that the parties have resolved their entire dispute amongst themselves. 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 framing 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. However, such an exercise by the High Court would be permissible only after the evidence is collected after investigation and the charge sheet is filed/charge is framed and/or during the trial. Such exercise is



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not permissible when the matter is still under investigation.

Therefore, the ultimate conclusion in paragraphs 29.6 and 29.7 of the decision of this Court in the case of Narinder Singh (supra) should be read harmoniously and to be read as a whole and in the circumstances stated hereinabove;

v) while exercising the power under Section 482 of the Code to quash the criminal proceedings in respect of non-compoundable offences, which are private in nature and do not have a serious impart on society, on the ground that there is a settlement/compromise between the victim and the offender, the High Court is required to consider the antecedents of the accused; the conduct of the accused, namely, whether the accused was absconding and why he was absconding, how he had managed with the complainant to enter into a compromise etc.”

5. Applying the ratio laid down by the Hon’ble Apex Court in above case, the offences invoked in this case are totally private in nature and do not have any



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serious impact on the society. In such circumstances, the petitioner and respondent No.2 are permitted to compound the offences.

6. Consequently, the proceedings against the petitioner/accused is liable to be quashed, since continuation of proceedings is nothing but abuse of process of Court. In view of the joint memo, the petition is ***disposed of.***

7. The proceedings against the petitioner/accused in C.C.No.4156/2024, arising out of Crime No.112/2023, registered by Basavanagudi Women Police Station, for the offences punishable under Sections 498A, 504 and 506 of IPC and Sections 3 and 4 of Dowry Prohibition Act, is hereby quashed.

SD/-
(RAJESH RAI K)
JUDGE

HKV
List No.: 1 Sl No.: 65