



CNR: KAHC010185752026

NC: 2026:KHC:47638
CRL.P No. 4090 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.NAGAPRASANNA

CRIMINAL PETITION NO.4090 OF 2026 (482(Cr.PC)

/ 528(BNSS)-)

BETWEEN:

SRI. UDAYAKUMAR H B,
S/O BASAVARAJU,
AGED ABOUT 26 YEARS,
WARD NO.16, RAJKUMAR NAGAR,
HASSAN TOWN,
HASSAN - 573 211.

...PETITIONER

(BY SRI. MANJUNATHA B, ADVOCATE)

AND:

1. STATE OF KARNATAKA,
HASSAN CITY POLICE,
REPRESENTED BY DY.S.P,
HASSAN CITY POLICE,
HASSAN - 573 201.
2. SMT. MANGALA GOWRI,
W/O MARA,
AGED ABOUT 40 YEARS,
SRINAGAR, BEHIND JAIL,
B M ROAD, HASSAN - 573 211.

...RESPONDENTS

(BY SMT. DEEPTI ALVA, HCGP FOR R1;
SRI. N.SURESHA, ADVOCATE FOR R2)

THIS CRL.P IS FILED UNDER SECTION 482 CR.PC (FILED
U/S 528 BNNS) PRAYING TO QUASH THE CRIMINAL

Digitally signed
by PADMAVATHI
B K
Location: High
Court of
Karnataka



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PROCEEDINGS INITIATED AGAINST THE PETITIONER BY FILING COMPLAINT BY THE 2ND RESPONDENT ON ALLEGED OFFENCE UNDER SECTIONS 352, 74, 351(3), 115(2) OF BNS AND SECTIONS 3(1)(r)(s), 3(2)(5a) OF SCST (PREVENTION OF ATROCITIES) AMENDMENT ORDINANCE ACT 2014 AND FILING OF FIR AS PER THE COMPLAINT AT ANNEXURE-F AND THE FIR IS AT ANNEXURE-G.

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

CORAM: **HON'BLE MR. JUSTICE M.NAGAPRASANNA**

ORAL ORDER

The petitioner is before this Court seeking the following prayers:

"a. Quash the Criminal proceedings initiated against the Petitioner by filing Complaint by the 2nd Respondent on alleged offence under Section 352, 74, 351(3), 115(2) of BNS and Section 3(1)(r)(s), 3(2)(5a) of SCST (Prevention of Atrocities) Amendment Ordinance 2014 and filing of FIR as per the Complaint at Annexure-F and the FIR is at Annexure-G.

b. Quash the Criminal proceedings initiated against the Petitioner by filing Complaint by the 2nd Respondent and filing Charge Sheet by the 1st Respondent in Special Case No 261/2025 on the alleged offence under Section 352, 74, 351(3), 115(2) of BNS and Section 3(1)(r)(s), 3(2)(5a) of SCST (Prevention of Atrocities) Amendment Ordinance 2014 as per the Charge Sheet at Annexure-H pending before the Additional District & Sessions & Special Judge, at Hassan in Special Case No 261/2025.

c. Pass any appropriate order as this Hon'ble Court deems fit under the facts and circumstances of the case."



CNR: KAHC010185752026

NC: 2026:KHC:47638
CRL.P No. 4090 of 2026

2. Heard Sri.Manjunatha B, learned counsel appearing for the petitioner, Smt.Deepthi Alva, learned HCGP appearing for respondent No.1, Sri.N.Suresha, learned counsel appearing for respondent No.2 and have perused the material on record.

3. During the pendency of the proceedings, the parties to the *lis* have settled the dispute among themselves and have filed a Joint Memo/Memorandum of Settlement in that regard, which reads as follows:

**"JOINT MEMO/MEMORANDUM OF SETTLEMENT FILED BY
THE PETITIONER AND RESPONDENT No.2**

The Petitioner and Respondent No.2 most respectfully submit as follows:

1. The Petitioner has filed the above Criminal Petition under Section 528 of the Bharatiya Nagarika Suraksha Sanhita, 2023, seeking quashing of the criminal proceedings in Special Case No.261/2025, pending before the learned Additional District & Sessions & Special Judge, Hassan.
2. The said criminal proceedings arise out of the complaint lodged by Respondent No.2 before the Hassan City Police Station, wherein charge sheet has been filed against the Petitioner for the alleged offences punishable under Sections 352, 74, 351(3), 115(2) of the Bharatiya Nyaya Sanhita, 2023, and Sections 3(1)(r), 3(1)(s) and 3(2)(5a) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.
3. It is submitted that during the pendency of the above proceedings, at the intervention of elders, well-wishers and respectable persons, the Petitioner and Respondent No.2,



CNR: KAHC010185752026

along with the family members concerned, have amicably resolved the disputes between them.

4. The parties submit that the settlement has been arrived at voluntarily, out of their own free will and consent, without any force, threat, coercion, undue influence or misrepresentation from any side.

5. Respondent No.2 submits that in view of the amicable settlement arrived at between the parties, she does not intend to prosecute or proceed further with the complaint and criminal proceedings in Special Case No.261/2025 pending before the learned Additional District & Sessions & Special Judge, Hassan.

6. Respondent No.2 further submits that she has no objection for allowing the above Criminal Petition and for quashing the proceedings in Special Case No.261/2025, pending before the learned Additional District & Sessions & Special Judge, Hassan, insofar as the Petitioner is concerned.

7. The Petitioner submits that he had initiated proceedings under Section 138 of the Negotiable Instruments Act, 1881, in respect of cheque bearing amount of Rs.4,00,000/-, against Sri Mara, husband of Respondent No.2, which is pending in PCR No.584/2025 / C.C. No.4875 / 2025 before the jurisdictional Court at Hassan.

8. The Petitioner, in view of the present settlement, undertakes that he shall withdraw / not press the said proceedings initiated under Section 138 of the Negotiable Instruments Act, 1881, against Sri Mara / Respondent No.2's husband, in PCR No.584/2025 / C.C. No.4875/2025, within such time as may be fixed by this Hon'ble Court.

9. The parties submit that the present settlement is intended to put an end to all criminal proceedings arising out of the transaction and dispute between the parties. Therefore, upon quashing of Special Case No.261/2025 and upon withdrawal / closure of the proceedings under Section 138 of the Negotiable Instruments Act, neither party shall have any further criminal claim, complaint or grievance against the other in respect of the subject matter of the present dispute.



CNR: KAHC010185752026

10. The parties further undertake that they shall not initiate any fresh criminal proceedings against each other in respect of the same transaction, same cause of action or same subject matter, except in the event of breach of the terms of this settlement.

11. The parties respectfully submit that continuation of the criminal proceedings, in view of the settlement arrived at between the parties, would not serve any useful purpose and would amount to unnecessary continuation of litigation.

12. The parties therefore respectfully pray that this Hon'ble Court may be pleased to accept this Joint Memo / Memorandum of Settlement and pass appropriate orders in terms of the settlement recorded herein.

WHEREFORE, the Petitioner and Respondent No.2 respectfully pray that this Hon'ble Court may be pleased to:

- a. Take this Joint Memo / Memorandum of Settlement on record;
- b. Record the voluntary settlement entered into between the Petitioner and Respondent No.2;
- c. Allow the above Criminal Petition;
- d. Quash the proceedings in Special Case No.261/2025, pending before the learned Additional District & Sessions & Special Judge, Hassan, arising out of the complaint lodged by Respondent No.2 and charge sheet filed by Respondent No.1 Police, insofar as the Petitioner / Accused Sri Uday Kumar H.B. is concerned;
- e. Record the undertaking of the Petitioner that he shall withdraw/not press the proceedings initiated under Section 138 of the Negotiable Instruments Act, 1881, in PCR No.584/2025 / C.C. No.4875/ 2025, pending before the jurisdictional Court at Hassan, against Sri Mara, husband of Respondent No.2;
- f. Pass such other order/s as this Hon'ble Court deems fit in the facts and circumstances of the case, in the interest of justice and equity."



CNR: KAHC010185752026

NC: 2026:KHC:47638
CRL.P No. 4090 of 2026

4. The parties to the *lis* are present before the Court and are identified by their respective counsels.

5. In the light of Joint Memo/Memorandum of Settlement as quoted *supra* being filed and offences not being against the State, I deem it appropriate to accept the same and terminate the proceedings against the petitioner in the subject petition.

6. For the aforesaid reasons, the following:

ORDER

[I] Criminal Petition is **disposed**.

[II] Proceedings in Special Case No.261/2025 pending before the Addl. District and Sessions and Special Judge, Hassan, stands quashed *qua* the petitioner.

**Sd/-
(M.NAGAPRASANNA)
JUDGE**