



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 9TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.NAGAPRASANNA

CRIMINAL PETITION NO. 6768 OF 2026

BETWEEN:

1. RAMAMURTHY L,
S/O LATE LAKSHMAIAH,
AGED ABOUT 47 YEARS.
2. SUBRAMANI @ SUBRAMANI G,
S/O GOVINDAPPA,
AGED ABOUT 41 YEARS.
3. ANAND @ ANAND KUMAR D
S/O DODDAKEMPAIAH,
AGED ABOUT 38 YEARS.

ALL ARE R/AT KANNURAHALLI VILLAGE,
KASABA HOBLI, HOSAKOTE TALUK,
BENGALURU DISTRICT 562114.

...PETITIONERS

(BY SRI CHANDRASHEKAR C, ADVOCATE)

AND:

1. STATE OF KARNATAKA,
HOSKOTE POLICE STATION,
HOSKOTE SUB DIVISION,
BENGALURU RURAL DISTRICT,
REPTD. BY PUBLIC PROSECUTOR/
GOVERNMENT ADVOCATE,

Digitally signed
by SANJEEVINI
J KARSHETTY
Location: High
Court of
Karnataka



HIGH COURT OF KARANTAKA,
BANGALORE 560001.

2. PRADEEP,
S/O KATAPPA,
AGED ABOUT 35 YEARS,
R/AT KANNURAHALLI VILLAGE,
KASABA HOBLI, HOSAKOTE TALUK,
BENGALURU DISTRICT 562114.

...RESPONDENTS

(BY SMT. WAHEEDA.M.M, HCGP FOR R-1;

SRI NARAYANASWAMY K.N, ADVOCATE FOR R-2)

THIS CRL.P IS FILED U/S 482 CR.PC (FILED U/S 528 BNSS) TO CALL FOR RECORDS, IF NECESSARY AND QUASH THE CHARGE SHEET IN SPL.C.NO.1028/2024 ARISING OUT OF CR.NO.295/2024, FILED BY THE RESPONDENT NO.1 POLICE AND ALSO THE ORDER DATED 08.12.2025, WHEREIN THE HON'BLE II ADDL. DISTRICT AND SESSIONS COURT, BENGALURU RURAL DISTRICT, HAS TAKEN COGNIZANCE AGAINST THE PETITIONERS/ ACCUSED FOR THE OFFENCES P/U/S 189(1), 189(2), 352, 351(1), 351(2), 115(2), 189(1), 189(2), 189(4), 190, 191(2) OF THE BNS 2023 AND SEC. 3(1)(r)(s) OF SC ST PREVENTION OF ATROCITIES ACT.

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

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

ORAL ORDER

Petitioners – accused Nos.1 to 3 are before this Court seeking quashment of the proceedings in Spl.C.No.1028/2024, pending before the II Additional District and Sessions Court,



Bengaluru Rural District, for the offences punishable under Sections 118(1), 118(2), 352, 351(1), 351(2), 115(2), 189(1), 189(2), 189(4), 190 and 191(2) of the BNS and Sections 3(1)(r) and 3(1)(s) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 ('the Act' for short).

2. Learned counsel for the petitioners and respondent No.2 in unison submit that during the pendency of the case, the parties to the *lis* have settled the dispute and file an interlocutory application in I.A.No.2/2026 under Section 482 r/w. 320(2) of the Cr.P.C., along with separate affidavits of the parties, seeking permission to compound the offences. They would also submit that this Court in Crl.P.No.2588/2026, disposed on 27.04.2026, has granted permission to compound the offences to the petitioners therein, who were the co-accused in the same case – Spl.C.No.1028/2024 and therefore, seek the very same relief to these petitioners.

3. The application reads as follows:

- "2. It is submitted that the petitioners and Respondent No.2 herein are same villagers and known to each others from childhood. It is submitted that in view of the misunderstandings in the village on filing of



cases, the Respondent No.2 has lodged a complaint. However, as per the advice of the well wishers and in order to maintain peace in the village, the differences between the parties have been resolved amicably. Accordingly, both the parties have decided to file a Joint Memo requesting this Hon'ble Court to quash the proceedings in the above petition, with an intention to maintain and continue the good relationship.

3. It is relevant to state that in respect of other Accused, the case is compounded in Crl.Petn.2588/2026 by an order dtd.27-04-2026. The copy of the Final Order dtd.27-04-2026 passed in Crl.Petn.2588/2026 is herewith produced.
4. The petitioners and the Complainant in the above case have filed this Joint Memo before this Hon'ble Court and expressed in unequivocal terms that they have signed the Joint Compromise Memo on their own free will and volition.
5. It is submitted that the petitioners have filed this Application for compound the offence, the Complainant has, on his own free will, without any compulsion, entered into a compromise and he has no objection for compound the offence with the petitioners.
6. It is submitted that the petitioners and Complainant are residing in the same village.

PRAYER

WHEREFORE, the petitioners and Complainant/Respondent No.2 most humbly submit that this Hon'ble Court may be pleased to permit them to compound the offence in **Spl.C.1028/2024**, for the offences punishable u/Secs.3(1)(W), 3cl (1)(r)(s) of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Amended Bill 2015 and Section 115(2), 118, 189(1), 189(2), 189(4), 190, 191(2), 351, 74 of The Bhartiya Nyaya Sanhita (BNS) 2023. Consequently, this



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Hon'ble Court may be pleased to quash the proceedings in Spl.C.1028/2024 (arising out of Cr.No.295/2024), now pending on the file of the Hon'ble II Addl. District and Sessions Court, Bengaluru Rural District, by allowing this Joint Memo in the interest of justice."

4. The issue is whether the compromise between the parties can be accepted by this Court *qua* the provisions of the Act. The issue need not detain this Court for long or delve deep into the matter as the Apex Court in the case of **RAMAWATAR VS. STATE OF MADHYA PRADESH** reported in **2021 SCC ONLINE SC 966**, has held as follows:

"**15.** Ordinarily, when dealing with offences arising out of special statutes such as the SC/ST Act, the Court will be extremely circumspect in its approach. The SC/ST Act has been specifically enacted to deter acts of indignity, humiliation and harassment against members of Scheduled Castes and Scheduled Tribes. The Act is also a recognition of the depressing reality that despite undertaking several measures, the Scheduled Castes/Scheduled Tribes continue to be subjected to various atrocities at the hands of upper-castes. The Courts have to be mindful of the fact that the Act has been enacted keeping in view the express constitutional safeguards enumerated in Articles 15, 17 and 21 of the Constitution, with a twin-fold objective of protecting the members of these vulnerable communities as well as to provide relief and rehabilitation to the victims of caste-based atrocities.

16. On the other hand, where it appears to the Court that the offence in question, although covered under the SC/ST Act, is primarily private or civil in nature, or where the alleged offence has not been committed on account of the caste of the victim, or where the continuation of the legal proceedings would be an abuse of the process of law, the Court can exercise its powers to quash the proceedings. **On similar lines, when considering a prayer for quashing on the basis of a**



compromise/settlement, if the Court is satisfied that the underlying objective of the Act would not be contravened or diminished even if the felony in question goes unpunished, the mere fact that the offence is covered under a 'special statute' would not refrain this Court or the High Court, from exercising their respective powers under Article 142 of the Constitution or Section 482 Cr.P.C.

17. Adverting to the case in hand, we note that the present Appellant has been charged and convicted under the unamended Section 3(1)(x) of the SC/ST Act⁷, which was as follows:

"3. Punishments for offences of atrocities- (1)

Whoever, not being a member of a Scheduled Caste or a Scheduled Tribe,—

xxxx

(x) intentionally insults or intimidates with intent to humiliate a member of a Scheduled Caste or a Scheduled Tribe in any place within public view;

xxxx"

18. We may hasten to add that in cases such as the present, the Courts ought to be even more vigilant to ensure that the complainant-victim has entered into the compromise on the volition of his/her free will and not on account of any duress. It cannot be understated that since members of the Scheduled Caste and Scheduled Tribe belong to the weaker sections of our country, they are more prone to acts of coercion, and therefore ought to be accorded a higher level of protection. If the Courts find even a hint of compulsion or force, no relief can be given to the accused party. What factors the Courts should consider, would depend on the facts and circumstances of each case.

19. Having considered the peculiar facts and circumstances of the present case in light of the afore-stated principles, as well as having meditated on the application for compromise, we are inclined to invoke the powers under Article 142 and quash the instant Criminal proceedings with the sole objective of doing complete justice between the parties before us. We say so for the reasons that:



Firstly, the very purpose behind Section 3(1)(x) of the SC/ST is to deter caste-based insults and intimidations when they are used with the intention of demeaning a victim on account of he/she belonging to the Scheduled Caste/Scheduled Tribe community. In the present case, the record manifests that there was an undeniable pre-existing civil dispute between the parties. The case of the Appellant, from the very beginning, has been that the alleged abuses were uttered solely on account of frustration and anger over the pending dispute. Thus, the genesis of the deprecated incident was the afore-stated civil/property dispute. Considering this aspect, we are of the opinion that it would not be incorrect to categorise the occurrence as one being overwhelmingly private in nature, having only subtle undertones of criminality, even though the provisions of a special statute have been attracted in the present case.

Secondly, the offence in question, for which the Appellant has been convicted, does not appear to exhibit his mental depravity. The aim of the SC/ST Act is to protect members of the downtrodden classes from atrocious acts of the upper strata of the society. It appears to us that although the Appellant may not belong to the same caste as the Complainant, he too belongs to the relatively weaker/backward section of the society and is certainly not in any better economic or social position when compared to the victim. Despite the rampant prevalence of segregation in Indian villages whereby members of the Scheduled Caste and Scheduled Tribe community are forced to restrict their quarters only to certain areas, it is seen that in the present case, the Appellant and the Complainant lived in adjoining houses. Therefore, keeping in mind the socio-economic status of the Appellant, we are of the opinion that the overriding objective of the SC/ST Act would not be overwhelmed if the present proceedings are quashed.

Thirdly, the incident occurred way back in the year 1994. Nothing on record indicates that either before or after the purported compromise, any untoward incident had transpired between the parties. The State Counsel has also not brought to our attention any other occurrence that would lead us to believe that the Appellant is either a repeat offender or is unremorseful about what transpired.



Fourthly, the Complainant has, on her own free will, without any compulsion, entered into a compromise and wishes to drop the present criminal proceedings against the accused.

Fifthly, given the nature of the offence, it is immaterial that the trial against the Appellant had been concluded.

Sixthly, the Appellant and the Complainant parties are residents of the same village and live in very close proximity to each other. We have no reason to doubt that the parties themselves have voluntarily settled their differences. Therefore, in order to avoid the revival of healed wounds, and to advance peace and harmony, it will be prudent to effectuate the present settlement."

(Emphasis supplied)

In the light of the afore-quoted judgment of the Apex Court, which has held that invoking power under Article 142 of the Constitution of India or under Section 482 of the Cr.P.C., the proceedings initiated under the Act may be permitted to close, if the complainant is willing to settle the issue. The judgment of the Apex Court in the case of **RAMAWATAR** (*supra*) is also followed by this Court in Crl.P.No.2588/2026, disposed on 27.04.2026, wherein, the impugned proceedings *qua* the petitioners therein, was quashed. Therefore, I deem it appropriate to accept the application and the affidavits so filed and obliterate the proceedings for the offences punishable under the Act and also the offences punishable under the



provisions of the BNS, against the petitioners as the allegations are not against the State.

5. For the aforesaid reasons, the following:

ORDER

- (i) The Criminal Petition is disposed.
- (ii) The proceedings in Spl.C.No.1028/2024, pending before the II Additional District and Sessions Court, Bengaluru, *qua* the petitioners, stand quashed.

Sd/-
(M.NAGAPRASANNA)
JUDGE

NVJ
List No.: 2 Sl No.: 77