



CNR: KAHC010392532025

NC: 2026:KHC:49528
CRL.P No. 8411 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 10TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

CRIMINAL PETITION NO. 8411 OF 2025

BETWEEN:

1. SRI. MOHAMMED ARIF
S/O B.H. PAYRAJAN
AGED ABOUT 39 YEARS
2. SMT. SHABANA
W/O MOHAMMAD ARIF
AGED ABOUT 29 YEARS

PETITIONER NO.1 TO 2 ARE RESIDING
AT 6TH CROSS, POOR HOUSE COLONY
TUMAKURU TOWN AND DISTRICT
KARNATAKA - 572 101.

NOW PET NO.1 AND 2
R/AT FLAT NO. A1, 3RD CROSS
ARQUM TOWN, AR RAHAMAN
MASJID ROAD, MELEKOTE
TUMAKURU, KARNATAKA - 572 101
AS PER RENT AGREEMENT.

3. SRI. ANSAR PASHA
S/O MOHAMMAD MUNNAF
AGED ABOUT 41 YEARS

PETITIONER NO.3 IS RESIDING AT
NO. 2, 16TH CROSS, HEGADE COLONY

Digitally signed
by SHWETA
RAGHAVENDRA
Location: HIGH
COURT OF
KARNATAKA



CNR: KAHC010392532025

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TUMAKURU TOWN AND DISTRICT
KARNATAKA - 572 101.

...PETITIONERS

(BY SRI. CHIDAMBHAR SWAROOP T.P, ADVOCATE)

AND:

1. STATE OF KARNATAKA
REPRESENTED BY WOMEN
POLICE STATION, TUMAKURU
(REP. BY HCGP, SPP OFFICE
HIGH COURT BUILDING COMPLEX
BENGALURU - 560 001)
2. SMT. ANJUM SAYYAD
W/O MOHAMMAD ARIF
AGED ABOUT 35 YEARS
R/AT 4TH CROSS, 2ND STAGE
DEVEGOWDA LAYOUT,
SARASWATHI PURAM
TUMAKURU TOWN AND DISTRICT
KARNATAKA - 572 101.

...RESPONDENTS

(BY SMT. RASHMI PATEL, HCGP FOR R1;
SRI. M. SHASHIDHARA, ADVOCATE FOR R2)

THIS CRL.P IS FILED U/S 482 OF CR.PC (FILED U/S 528 BNNS) PRAYING TO QUASH THE ENTIRE CRIMINAL PROCEEDINGS IN C.C.NO.102/2025 ARISING OUT OF A CR.NO.41/2025 REGISTERED BY WOMEN P.S. TUMAKURU PENDING ON THE FILE OF II ADDL.SENIOR CIVIL JUDGE AND J.M.F.C TUMAKURU FOR THE OFFENCE P/U/S 85, 351(2), 3(5) OF BNS 2023 AND SEC.4 OF D.P ACT 1964.



CNR: KAHC010392532025

NC: 2026:KHC:49528
CRL.P No. 8411 of 2025

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

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. Petitioners are before this court seeking for the following reliefs:

- a. To quash the entire criminal proceedings in C.C.No.102/2025 arising out of a Cr.No.41/2025 registered by Women Police Station, Tumakuru pending on the file of II Additional Senior Civil Judge and J.M.F.C., Tumakuru for the offences under Section 85, 351(2) and 3(5) of the Bharatiya Nyaya Sanhitha, 2023 and Section 4 of the Dowry Prohibition Act, 1964 in the ends of justice.*
- b. Pass such other orders or orders as this Hon'ble Court may deem fit in the facts and circumstances of the case in the ends of justice.*

2. The dispute between the parties arises out of the marriage between petitioner no.1 and respondent no.2, as regards which respondent no.2 had filed a complaint with the Tumakuru Women Police Station, which came to be registered in Crime No.41/2025 and subsequently, on investigation being completed, a charge sheet had been laid in C.C.No.102/2025,



CNR: KAHC010392532025

which is now pending on the file of the II Additional Senior Civil Judge and JMFC, Tumakuru, for the offences punishable under Sections 85, 351(2) and 3(5) of the Bharati Nyaya Sanhita 2023 (for short, "BNSS, 2023") and Section 4 of the Dowry Prohibition Act, 1964 (for short, "DP Act").

3. There being one other proceeding for maintenance which had been filed by respondent no.2 in Criminal Miscellaneous No.143/2025, the said proceedings have been settled by petitioner no. 1, making payment of permanent alimony of Rs.5,00,000/-, which has been recorded by the said Court in its order dated 30.10.2025.
4. In the present matter, a joint memo for settlement has been filed, which reads as under:

"Joint Compromise Memo

The both the Petitioner and Respondent Submits as follows:

The above said petitioner has filed the above said petition for the grant of the Maintenance amount



CNR: KAHC010392532025

NC: 2026:KHC:49528
CRL.P No. 8411 of 2025

against the respondent and there are no children's out of wed-lock and Now that both Petitioner and Respondent in the above said case have compromised the above said case on the following terms and condition below.

1. The Petitioner had given customary Divorce 1,e, **Khulanama** to the Respondent as per the Mohammedan law on 26-10-2025 before witnesses and before Masjid Jamath of Masjid-e-Hira, Mohammedan Block, near old Gubbi gate, B.H. Road Tumkur-572101, and the Respondent has accepted the Khulanama and released the petitioner from the Matrimonial relationship.
2. Both petitioner and Respondent peacefully resolved the dispute and separated as per the Shariath without any influence, coercion or Threat, and both wholeheartedly accepted the decision of the Jamath elders and well-wishers.
3. It is submitted that the petitioner is agreed to receive Permanent Alimony of **Rs.5,00,000/ (Rupees five Lakhs only)** from the respondent by following mode.
 - a). **Rs.4,00,000/ (Rupees four Lakhs only)** by way of cheque Bearing No.429133 drawn on Indusind Bank Tumkur Branch Dated: 30/10/2025
 - b) **Rs.1,00,000/ (Rupees one Lakhs only)** By way of cash FAMILY COURTIS Hon'ble court. And the Respondent Has agreed to that
4. The petitioner undertakes to appear before the Hon'ble Hihg Court of Karnataka in Cr. Petition 8411/2025 to File necessary Application/Affidavits in quashing the criminal case lodged by the petitioner against the respondent and others in Cr.No.41/2025 of the Women Police Station, Tumkur.
5. Both petitioner and Respondent Undertakes to compromised the criminal Case filed by his wife against the Petitioner and others in Cr.No.33/2025 pending before III Addl. JMFC. Tumkur.



CNR: KAHC010392532025

NC: 2026:KHC:49528
CRL.P No. 8411 of 2025

6. *The both the Petitioner and the Respondent submits and to undertakes both the parties shall not cause harm, loss, damage in future against each other reputation and both of them undertake that they shall not blame each other for the breakdown of the marital tie and shall not defame the reputation before any other person or in the locality or authority. Both the petitioner and respondent undertake they will not approach any court of law/family court/shariat court for claiming the right for restitution of conjugal rights or any marital right against each other.*

7. *The petitioner in the above case submits that she has no interest or share in the Immovable-Movable Properties of the respondent and further she will not claim anything from the respondent in Future.*

Wherefore, Both the Petitioner and the Respondent in the above said case prays before this Hon'ble Court may Dispose of the ABOVE said petition as per this Memo in the ends of Justice.

We both the Petitioner have read over this memo and signed after Knowing the facts."

5. A joint compromise memo filed in Crl.Misc.No.143/2025 has also been enclosed therewith along with the Aadhar card of the petitioners and respondent no.2. They are duly identified by their respective counsels.

6. In view of the settlement already being recorded in Crl.Misc.No.143/2025 and on enquiry, respondent



CNR: KAHC010392532025

no.2 contends that she does not wish to prosecute the criminal complaint. She confirmed having received a sum of Rs.5,00,000/- as permanent alimony as also having received all her jewellery and money from petitioner no.1, not having any claim against the petitioner. The compromise is accepted, and hence, this Court passes the following:

ORDER

- i. Criminal petition is ***allowed***.
- ii. The proceedings in C.C.No.102/25 arising out of Crime No.41/2025 registered by the Women Police Station, Tumkuru pending on the file of the II Additional Senior Civil Judge and JMFC, Tumakuru is hereby quashed.

**Sd/-
(SURAJ GOVINDARAJ)
JUDGE**