



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 2ND DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE RAVI V HOSMANI

CRIMINAL PETITION NO.4914 OF 2019

BETWEEN:

PRAVEEN MANOHAR KUTINO
S/O VELRIYAN KUTINO
AGED ABOUT 39 YEARS,
OCC: CONTRACTOR,
R/AT NO.-2-165,
TODARU PALKEY HOUSE,
TODARU VILLAGE AND POST,
MOODABIDRE, MANGALORE TALUK - 574 227.

...PETITIONER

(BY SRI DINESHKUMAR RAO K., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
BY SUB INSPECTOR OF POLICE
MOODABIDRE POLICE STATION,
MANGALORE-574 227
(REP BY PUBLIC PROSECUTOR
HIGH COURT BUILDING
BENGALURU - 560 001.
2. MARIA GRETA PINTO
D/O WILFRED KUTINO
AGED ABOUT 36 YEARS,
R/O AT MARVIL VILLA
BAREBAILU MANE,
HOSABETTU VILLAGE AND POST,
MOODABIDRE, MANGALORE TALUK - 574 227.

...RESPONDENTS

(BY SMT.SOWMYA R., HCGP FOR R1;
SRI N.M.BHAT, ADVOCATE FOR R2)

Digitally signed
by ANUSHA V
Location: High
Court of
Karnataka



THIS CRL.P IS FILED U/S.482 CR.P.C PRAYING TO QUASH THE ENTIRE CRIMINAL PROCEEDINGS AGAINST THE PETITIONER IN C.C.NO.235/2019 (CHARGE SHEETED FOR THE OFFENCES UNDER SECTIONS 504,324 OF IPC) PENDING ON THE FILE OF THE CIVIL JUDGE AND JMFC, MOOBBIDRI.

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 proceedings in CC no.235/2019 on file of Civil Judge and J.M.F.C., Moodbidri for offences punishable under Sections 504 and 324 of Indian Penal Code, 1860 (**IPC**), this petition is filed.

2. Sri Dineshkumar Rao K., learned counsel for petitioner as well as Sri N.M. Bhat, learned counsel for respondent no.2 submit that during pendency of petition, parties i.e. petitioner and respondent no.2 - complainant have settled their dispute and an application under Section 320 (2) and (8) read with Section 482 of Code of Criminal Procedure, 1973 (**CrPC**) is filed for compounding.



3. Terms of application reads as under:

**"APPLICATION UNDER SECTIONS 320(2) AND (8)
R/W 482 of CR.P.C, FOR COMPOUNDING.**

The Petitioner most humbly submit as follows:

- 1. That on a complaint filed by one Smt. Maria gratta pinto, respondent no.2 on 15/11/2018, the PSI of Moodabidre Police Station, Mangaluru, registered a case in Crime.No.358/2018 for offence punishable under Sections 504, 324, 354 of IPC against petitioner.*
- 2. It is humbly submitted by Petitioner is nowhere concerned to the alleged incident and petitioner deny the entire case of prosecution. Further complainant/ respondent no.2 submits that she has no grievance against petitioner and as such she does not intend to proceed with the case as against petitioner and they have no dispute between themselves and they have settled their dispute amicably.*
- 3. It is submitted that in the facts and circumstances, the Respondent no. 2 does not intend to proceed with the case against the Petitioner and she voluntarily without any undue influence as decided not to proceed with criminal case against the Petitioner. That in view of the facts and circumstances Respondent no. 2 does not intend to proceed with the Criminal case and prays that this Hon'ble High Court may be pleased to permit the parties to compound and quash the proceedings as against Petitioner.*

Prayer

It is therefore prayed that this Hon'ble High Court may be pleased to permit Petitioner and Respondent no.2 to compound the offences and quash the Criminal Proceedings against the Petitioner in CC.No.235/2019, pending on the file of Civil Judge and JMFC Moodbidri., (registered for offence punishable under sections 504, 324, 354 of IPC, in the interest of justice."



4. Parties are present and are identified by their respective counsel.

5. And on interaction, respondent no.2 - complainant has affirmed contents of application and joint affidavit is filed, which reads as follows:

"JOINT AFFIDAVIT

HEREIN WE, Praveen Manohar Kutino S/o Velriyan Kuutino, aged about 46 years, Occ: Contractor, R/at No-2-165, Todaru palkey house, todaru village and post, Moodabidre, Mangalore taluk-574227 and Maria greta pinto, D/o Vilfred Kuttino, agef about 36years, R/at Mervil villa, barebailu mane, Hosabettu village and post, Moodbidre, Mangalore taluk-574227, today at Bengaluru, do hereby state on solemnly affirmation on oath state as follows.

- 1. That we are the respondent no.2 and petitioner in the above Criminal petition and we know the facts of the case, Hence, we are swearing to this affidavit.*
- 2. We state that the contents in the accompanying application of compromise/ compounding of offence at Para 1 to 3 are true and correct to the best of our knowledge, belief and information and we believe them to be true and correct.*

This is our name and signature and contents stated above are true to the best of our knowledge, information and belief and our believe them to be true and correct."

6. It is seen that this petition is filed challenging entire proceedings in CC no.235/2019 pending on file of Civil Judge and J.M.F.C., Moodbidri for offences punishable under Sections 504 and 324 of IPC. Perusal of charge sheet reveals



that incident arose out of civil transaction between parties and is purely *inter-parte*.

7. Counsel for parties submitted that there were no serious injuries and complaint was filed in spur of moment and subsequently parties have agreed to settle their dispute and give quietus to proceedings.

8. Since incident does not have societal implication and appears to be purely *inter-parte* and since parties have agreed to settle dispute, possibility of conviction in matter would be bleak and continuation of prosecution would be futile. Therefore, not only on ground of preventing abuse of process of Court but also to secure ends of justice, petition is ***allowed***, proceedings in CC no.235/2019 on file of Civil Judge and J.M.F.C., Moodbidri for offences punishable under Sections 504 and 324 of IPC stand ***quashed***.

Sd/-
(RAVI V HOSMANI)
JUDGE

GRD
List No.: 1 Sl No.: 25