



CNR: KAHC010455922019

NC: 2026:KHC:46347
CRL.P No. 8189 of 2019

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE RAVI V HOSMANI

CRIMINAL PETITION NO.8189 OF 2019

BETWEEN:

SANTHOSH KUMAR HIREMAT
S/O SIDDIAIAH HIREMAT,
AGED ABOUT 26 YEARS,
OCC: TEACHER
MASAGODU CHENNAMMA SCHOLOL,
MASAGODU VILLAGE,
SOMWARPET,
KODAGU DISTRICT - 571 236.

ALSO AT
NO.A-46/2, BASAVESHWARA ROAD,
SOMWARPET TALUK,
KODAGU DISTRICT- 571 236.

Digitally signed
by ANUSHA V
Location: High
Court of
Karnataka

...PETITIONER

(BY SRI ARON THOMAS, ADVOCATE AND
MISS BHOOMIKA KUMAR, ADVOCATE FOR
SRI RAJATH, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
BY THE POLICE OF
SOMWARPET POLICE STATION
REPRESENTED BY THE
STATE PUBLIC PROSECUTOR



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BENGALURU - 560 001.

2. SMT. HEMAVATHI
W/O KESHAV MURTHY,
AGED ABOUT 41 YEARS,
MASAGODU CHENNAMMA SCHOOL,
MASAGODU VILLAGE,
SOMWARPET,
KODAGU DISTRICT - 571 236.

...RESPONDENTS

(BY SRI MAHESHA P, HCGP FOR R1;
SRI N.BALARAJ, ADVOCATE FOR R2)

THIS CRL.P IS FILED UNDER SECTION 482 CR.P.C BY THE ADVOCATE FOR THE PETITIONER PRAYING TO QUASHING THE ENTIRE PROCEEDINGS IN SPL.CASE NO.40/2019 (CRIME NO.38/2019 OF SOMWARPET POLICE STATION) NOW PENDING ON THE FILE OF THE LEARNED I ADDITIONAL DISTRICT AND SESSIONS JUDGE, KODAGU, MADIKERI FOR THE OFFENCE PUNISHABLE UNDER SECTIONS 3(1)(r), 3(1)(za) OF SC/ST (PREVENTION OF ATROCITIES) ACT, 1989, IN THE INTEREST OF JUSTICE.

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

CORAM: HON'BLE MR. JUSTICE RAVI V HOSMANI



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ORAL ORDER

Challenging proceedings in Special Case no.40/2019 arising out of Crime no.38/2019 registered by Somwarpet Police Station, Kodagu, presently pending on file of I Additional District and Sessions Judge, Kodagu, Madikeri, for offences punishable under Sections 3(1)(r) and 3(1)(za) of The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, this petition is filed.

2. Sri Aaron Thomas, learned counsel appearing for Sri Rajath, advocate for petitioner - accused no.3 as well as Sri N Balaraj, learned advocate appearing for complainant submits that petitioner was Headmaster in school wherein complainant was working as Clerk in Computer Department. That during pendency of proceedings, complainant has changed her job from said school and is now working at a different school for reasons other than incident in question and even petitioner-accused no.3 is working in another school. On advice of elders and well-wishers, parties have entered into settlement and complainant does not wish to pursue present proceedings and consents for quashing of same.



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3. A joint memo containing terms of settlement along with an application under Section 320 of CrPC is filed.

4. It was submitted that proceedings insofar as accused no.1 and 2 were dropped. It is submitted that though offences are non-compoundable, by taking note of observations of Hon'ble Supreme Court in case of ***Ramawatar v. State of Madhya Pradesh*** reported in **2021 SCC Online SC 966**, this Court in Criminal Petition no.4542/2023 [2023 KHC 22313] has held by ensuring that settlement was on free will of complainant without any compulsion and similar factors as enumerated proceedings could be quashed on settlement and seeks for passing of similar orders in present case.

5. Sri Mahesha P, learned HCGP for respondent-State would oppose submission, however, submitted that in view of taking note of factual circumstances, appropriate orders may be passed.

6. Heard learned counsel and perused material on record.



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7. Parties are present and identified by their respective counsel. On interaction, complainant present in Court submitted that she has agreed for settlement out of her own free will and without any coercion or undue influence from anyone. Petitioner - accused no.3 also concurs on similar lines.

8. Perusal of complaint and charge sheet imputations reveal that incident occurred while complainant was working in a school in which accused was Headmaster. Both parties have since left job at said school and working elsewhere. That incident in question has occurred while accused was acting under authority of his position and there are no serious allegations of transgression of provisions of Act. Parties intended to put a quietus to proceedings and move on. Complaint and charge sheet averments do not disclose any act involving depravity of such nature as would have societal impact. Incident in question has also occurred on 17.05.2018, nearly more than eight years and acceptance of settlement would put a quietus to a long pending litigation.

9. Especially in view of settlement, this Court finds fit to exercise jurisdiction to secure ends of justice. Hence, petition



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is ***allowed***, proceedings in Special Case no.40/2019 arising out of Crime no.38/2019 registered by Somwarpet Police Station, Kodagu, presently pending on file of I Additional District and Sessions Judge, Kodagu, Madikeri, for offences punishable under Sections 3(1)(r) and 3(1)(za) of The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, stand quashed.

Sd/-
(RAVI V HOSMANI)
JUDGE

YKL
List No.: 1 Sl No.: 16