



NC: 2026:KHC:36812
CRL.P No. 9414 of 2021

CNR: KAHC010458042021

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE RAVI V HOSMANI

CRIMINAL PETITION NO. 9414 OF 2021

BETWEEN:

RAVI
S/O LATE GURUVA,
AGED ABOUT 41 YEARS,
R/A ATTE PADAV HOUSE,
KOLAVOOR VILLAGE,
MANGALORE TALUK,
DK DISTRICT - 574 197.

...PETITIONER

(BY SRI DHANANJAY KUMAR, ADVOCATE)

AND:

1. STATE OF KARNATAKA
BY BAJPE POLICE STATION,
REP BY STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
BANGALORE - 560 001.
2. DAYANANDA SHETTY
S/O MAHABALA SHETTY,
AGED ABOUT 48 YEARS,
KUPPEPADAV HOUSE,
KOLAVOOR VILLAGE,
MANGALORE TALUK,
D.K. DISTRICT - 574 197.

...RESPONDENTS

(BY SRI JAVEED S., HCGP FOR R1;
SMT. DEEPTHI SHETTY, ADVOCATE FOR
SMT. SHWETHA NAIK, ADVOCATE FOR R2)

Digitally signed
by ANUSHA V
Location: High
Court of
Karnataka



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THIS CRL.P IS FILED U/S.482 CR.P.C., PRAYING TO QUASH THE ENTIRE PROCEEDINGS IN C.C.NO.972/2012 REGISTERED BY THE RESPONDENT POLICE, AGAINST THE PETITIONER FOR THE OFFENCE P/U/S 201,406,408,420 OF IPC PENDING ON THE FILE OF THE I ADDITIONAL SENIOR CIVIL JUDGE AND CJM, MANGALORE.

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 entire proceedings in CC no.972/2012 pending on file of I Additional Senior Civil Judge and CJM, Mangaluru, for offences punishable under Sections 201, 406, 408 and 420 of Indian Penal Code, 1860 (**IPC**), this petition is filed.

2. Learned counsel for petitioner - accused as well as learned counsel for respondent no.2 - complainant submitted that during pendency of above petition, there was settlement between complainant and accused and a joint memo is filed reporting settlement. An application under Section 320 of CrPC is also filed for compounding of offences. It is stated that accused as well as complainant are present in Court and are



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identified by their respective counsel. On interaction, parties stated, terms of compromise have been explained to them and after understanding, they have affirmed same out of their free will and volition without there being any threat, coercion and/or undue influence from anyone. A memo is also filed producing copies of Resolution dated 13.06.2026 passed by society along with receipt dated 31.10.2025 about payment of amount of Rs.50,000/- by petitioner. It is submitted that same would affirm settlement. In view of settlement, learned counsel pray for quashing of proceedings.

3. Learned HCGP for respondent - State would submit that though offences punishable under Sections 201 and 406 of IPC were compoundable, offences punishable under Section 408 and 420 of IPC were non-compoundable. He further submitted that taking note of settlement between complainant and accused and repayment of amount by accused to complainant -society, appropriate orders may be passed.

4. Heard learned counsel and perused material on record as well as joint memo and application under Section 320 of CrPC.



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5. This petition is for quashing of entire proceedings in CC no.972/2012 for offences punishable under Sections 201, 406, 408 and 420 of IPC. Perusal of charge sheet would indicate that allegations against petitioner-accused is about embezzlement of sum of Rs.2,33,300/-. Perusal of resolution passed by the society as well as "No dues certificate" issued to petitioner-accused would indicate statement of society that entire dues against petitioner-accused were received and therefore criminal prosecution may be withdrawn. Material would indicate that proceedings were initiated for claims of dues of society against accused, since stated to have been cleared. In view of above, continuation of proceedings would be futile, if not amounting to abuse of process.

6. Hence, petition is **allowed**, proceedings in CC no.972/2012 pending on file of I Additional Senior Civil Judge and CJM, Mangaluru, for offences punishable under Sections 201, 406, 408 and 420 of IPC, stand quashed.

Sd/-
(RAVI V HOSMANI)
JUDGE

YKL

List No.: 1 Sl No.: 30