



CNR: KAHC010499392026

NC: 2026:KHC:43471
CRL.P No. 10887 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 13TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.NAGAPRASANNA

CRIMINAL PETITION NO. 10887 OF 2026

BETWEEN:

1. BINESH RATHNAVALI,
S/O RATHNAVALI,
ERSTWHILE BANK MANAGER,
AGED ABOUT 46 YEARS,
DOO4, GR LAVENDER,
J.P.NAGAR, NEAR RAMAIAH CITY,
7TH PHASE, BENGALURU SOUTH P.S,
BANNERGHATTA ROAD,
BENGALURU - 560 076.
2. TAPAS KUMAR LENKA,
BANK MANAGER,
AGED ABOUT 45 YEARS,
004, WING B, B BLOCK-1, GROUND FLOOR,
SSVR URBAN FLORA KAITHALA ROAD,
NEAR KARIARIYAMMA TEMPLE,
IMMADIHALLI, WHITE FILED,
BENGALURU - 560 066.

...PETITIONERS

(BY SRI. ANAND MUTTALLI, ADVOCATE)

AND:

1. STATE OF KARNATAKA,
BY BOMMANAHALLI POLICE STATION,
REPRESENTED BY
STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
BANGALORE - 560 001.

Digitally
signed by
PADMAVATHI
B K

Location:
High Court of
Karnataka



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2. AYESHA KOUSAR,
D/O FAIYAZ AHMED,
AGED ABOUT 29 YEARS,
R/AT NO. 15. NEAR GOVT. URDU SCHOOL,
BOMMANAHALLI, BEGUR,
BANGALORE - 560068.

...RESPONDENTS

(BY SRI.LOKESH R, ADVOCATE)

THIS CRL.P IS FILED U/S 482 CR.PC (FILED U/S 528 BNSS) PRAYING TO QUASH THE FIR IN CR.NO.210/2026 (ANNEXURE-A) REGISTERED BY THE 1ST RESPONDENT (BOMMANAHALLI P.S) AGAINST THE PETITIONERS HEREIN FOR THE OFFENCES P/U/S 3(5), 316(5), 318(4), 351(2) OF BNS 2023, PENDING BEFORE THE HONBLE III A.C.M.M, BENGALURU AND ETC.

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

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

ORAL ORDER

The petitioners are before this Court seeking the following prayers:

"a) Quash the FIR in Crime No.0210/2026 (ANNEXURE-A) registered by the 1st Respondent (Bommanahalli Police Station) against the Petitioners herein for the offences punishable under Section 3(5), 316(5), 318(4), 351(2) of the Bharatiya Nyaya Sanhita, 2023, pending before the Hon'ble 3rd Additional Chief Metropolitan Magistrate, Bangalore.



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b) Quash the complaint dated 09.07.2026 (ANNEXURE-B) filed by the 2nd Respondent before the 1st Respondent (Bommanahalli Police Station) for the offence punishable under Section 3(5), 316(5), 318(4), 351(2) of the Bharatiya Nyaya Sanhita, 2023.

c) Grant such other relief as this Hon'ble Court deems fit in the facts and circumstances of this case, in the interest of justice."

2. Heard Sri.Anand Muttalli, learned counsel appearing for the petitioners, Smt.Waheeda M.M., learned HCGP appearing for respondent No.1, Sri.Lokesh R, learned counsel appearing for respondent No.2 and have perused the material on record.

3. During the pendency of the proceedings, the parties to the *lis* have settled the dispute among themselves and have filed a compounding application along with the joint affidavit.

The joint affidavit reads as follows:

"1. That we are Petitioner No.1, Petitioner No.2 and Respondent No.2 respectively in the aforementioned case, and are well conversant with the facts and circumstances of the case, and are hence competent to jointly swear to this affidavit.

2. That the present case arises out of the FIR in Crime No. 0210/2026 registered by the respondent police for the offences punishable under Sections 3(5),



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316(5), 318(4) and 351(2) of the Bharatiya Nyaya Sanhita, 2023, pending before the Hon'ble 3rd Additional Chief Metropolitan Magistrate, Bengaluru, wherein Petitioner No.1 and Petitioner No.2 have been arrayed as Accused No.2 and Accused No.3 respectively, solely on account of their having held the position of Branch Manager, HDFC Bank, Koramangala Branch, during the relevant period.

3. That the Petitioners reiterate and reaffirm that they have not committed any offence as alleged, and have no role whatsoever, directly or indirectly, in the alleged misappropriation, which, as borne out by the internal investigation of HDFC Bank annexed to the accompanying petition, was committed solely by the 1st Accused and the 4th Accused. The Petitioners deny any guilt, negligence or liability qua the allegations levelled against them.

4. That similarly, it is submitted that the amounts misappropriated belonging to the mother and father of Respondent No.2 including the Respondent No. 2 were misappropriated solely by Accused No.1, and HDFC Bank, with a view to bringing a complete and amicable end to the present dispute as against the Petitioners, has agreed to reimburse the amount so misappropriated, to the Respondent No.2.

5. That subsequently, the Petitioners through its employers i.e. HDFC Bank, collectively and entirely of their own volition, without any coercion, threat, or compulsion, and purely on humanitarian grounds and with a view to amicably resolve the dispute amongst the Petitioners and Respondent No.2 herein, and without admitting any guilt, negligence, or liability qua the allegations levelled against them, jointly volunteered to cause payment of the amount withdrawn from the account of the Respondent No. 2, her father and mother.



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6. That accordingly, notwithstanding the liability, if any, as alleged against the Petitioners, the Petitioners through its employers, HDFC Bank, caused the following Demand Drafts, collectively dated 11.08.2026 drawn on HDFC Bank Ltd., Koramangala Main Branch, Bengaluru - 560095, to be issued and handed over to Respondent No.2 and parents, towards full and final settlement of all civil, criminal and other claims whatsoever arising out of the incident referred to in the FIR as against the Petitioners only:

a) Demand Draft bearing DD No. 046206, dated 11.08.2026, for a sum of Rs.78,05,902.91/- (Rupees Seventy-Eight Lakh Five Thousand Nine Hundred Two and Paise Ninety-One Only), in favour of Respondent No.2, Ayesha Kouser, Account No. 50100693325269;

b) Demand Draft bearing DD No. 046207, dated 11.08.2026, for a sum of Rs. 19,628/- (Rupees Nineteen Thousand Six Hundred Twenty-Eight Only), in favour of Smt. Parveen Taj (Respondent No.2 nominee), Account No. 50100694777783; and

c) Demand Draft bearing DD No. 046208, dated 11.08.2026, for a sum of Rs. 1,98,633.12/- (Rupees One Lakh Ninety-Eight Thousand Six Hundred Thirty-Three and Paise Twelve Only), in favour of Sri Fayaz Ahmed (Respondent No.2 nominee), Account No. 999997399881616,

aggregating in all to a sum of Rs. 80,24,164.03/- (Rupees Eighty Lakh Twenty-Four Thousand One Hundred Sixty-Four and Paise Three Only).

7. That the said Demand Drafts have been physically handed over to and received by Respondent No.2 and her parents, in the presence of the Petitioners and independent witnesses, and Respondent No.2 and her parents hereby acknowledge receipt of the same in full and final settlement of any and all claims arising out of the above-referred FIR/complaint, in so far as it relates and pertains to the Petitioners only.



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8. That Respondent No.2 and her parents, upon receipt of the aforesaid amount, have voluntarily, unconditionally and without any coercion, threat or inducement, agreed to withdraw all allegations and complaints made against the Petitioners, and has undertaken not to pursue the FIR in Crime No. 0210/2026, or any proceedings arising therefrom in so far as the Petitioners herein, before the Respondent Police, the concerned Trial Court, this Hon'ble Court, or any other forum.

9. That Respondent No.2 individually and on behalf of her parents do not have any objection whatsoever to compound and quash the FIR in Crime No. 0210/2026 qua the Petitioners herein, as the dispute qua the Petitioners has been settled amicably as stated hereinabove, and Respondent No.2 and their parents do not have any further claims or grievances against the Petitioners.

10. That in how of the aforementioned settlement between the parties, continuation of the aforesaid proceedings qua the Petitioners will cause irreparable injury and hardship to the petitioners and would serve no useful purpose.

11. That in view of the settlement arrived at between the parties, the Petitioners humbly pray and crave the leave of this Hon'ble Court to permit the FIR in Crime No. 0210/2026 to be quashed qua the Petitioners, in the interest of justice.

12. That the averments made hereinabove are true and correct to the best of our knowledge, information, and belief, and nothing material has been concealed or misrepresented herein.

WHEREFORE, the Petitioners and Respondent No.2 jointly and humbly pray that this Hon'ble Court may be pleased to take the above facts on record and allow the accompanying petition by compounding and quashing the



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FIR in Crime No. 0210/2026 registered at Bommanahalli Police Station for the offences punishable under Sections 3(5), 316(5), 318(4) and 351(2) of the Bharatiya Nyaya Sanhita, 2023, pending before the Hon'ble 3rd Additional Chief Metropolitan Magistrate, Bengaluru, qua the Petitioners herein, in the interest of justice."

4. The parties to the *lis* are present before the Court and are identified by their respective counsels.

5. In the light of application for compounding being filed along with the joint affidavit as quoted *supra* and offences not being against the State, I deem it appropriate to accept the same and terminate the proceedings against the petitioners in the subject petition.

6. For the aforesaid reasons, the following:

ORDER

[I] Criminal Petition is **disposed**.

[II] FIR in Crime No.0210/2026 registered by the 1st Respondent (Bommanahalli Police Station) for the offences punishable under Sections 3(5), 316(5), 318(4), 351(2) of the Bharatiya Nyaya Sanhita,



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2023, pending before the 3rd Additional Chief Metropolitan Magistrate, Bangalore, stands quashed *qua* the accused Nos.2 and 3.

[III] Complaint dated 09.07.2026 filed by the 2nd Respondent before the 1st Respondent (Bommanahalli Police Station) for the offence punishable under Sections 3(5), 316(5), 318(4), 351(2) of the Bharatiya Nyaya Sanhita, 2023, stands quashed *qua* the accused Nos.2 and 3.

Sd/-
(M.NAGAPRASANNA)
JUDGE