



CNR: KAHC010209382018

NC: 2026:KHC:37094
CRL.P No. 8691 of 2018
C/W CRL.P No. 8704 of 2018

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 20TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE RAVI V HOSMANI

CRIMINAL PETITION NO.8691 OF 2018

C/W

CRIMINAL PETITION NO.8704 OF 2018

IN CRL.P No.8691/2018

BETWEEN:

SRI K M KALAPPA
S/O K S MUNIHANUMIAH
AGED ABOUT 62 YEARS
R/AT C/O SRIPATHI,
PETE KRIHSNAPPA LAYOUT,
DODDAMMA TEMPLE,
K CHANNASANDRA VILLAGE,
KALKERE, K R PURAM HOBLI
BENGALURU EAST TALUK
BENGALURU - 560 043.

...PETITIONER

Digitally signed (BY SRI MADHU R., ADVOCATE)
by ANUSHA V

Location: High
Court of
Karnataka

AND:

1. STATE OF KARNATAKA
REP BY SUB INSPECTOR OF POLICE,
RAMAMURTHY NAGAR POLICE STATION
REP. BY STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA
BANGALORE - 560 001.
2. SMT. SANDHYA
W/O SUNILKUMAR
AGED ABOUT 29 YEARS
R/O CHIKKAGOWDARA
SRI K S MUNIHANUMIAH



CNR: KAHC010209382018

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CRL.P No. 8691 of 2018
C/W CRL.P No. 8704 of 2018

COMPOUND, KALKERE,
HORAMAVU,
K R PURAM HOBLI
BENGALURU - 560 043.

...RESPONDENTS

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

THIS CRL.P IS FILED U/S.482 CR.P.C PRAYING TO
QUASH THE COMPLAINT, FIRST INFORMATION REPORT AND
ENTIRE PROCEEDINGS IN C.C.NO.54423/2017 OFFENCES
PUNISHABLE UNDER SECTION 498A R/W SECTION 34 OF IPC,
WHICH IS PENDING BEFORE THE 10th ADDITIONAL CHIEF
METROPOLITAN MAGISTRATE, AT BANGALORE.

IN CRL.P NO. 8704/2018

BETWEEN:

SRI SUNIL KUMAR
S/O K M KALAPPA
AGED ABOUT 32 YEARS
R/AT C/O SRIPATHI
PETE KRISHNAPPA LAYOUT
DODDAMMA TEMPLE
K. CHANNASANDRA
KALKERE, K R PURAM HOBLI
BENGALURU EAST TALUK
BENGALURU - 560 043.

...PETITIONER

(BY SRI MADHU R., ADVOCATE)

AND:

1. STATE OF KARNATAKA
SUB-INSPECTOR OF POLICE
RAMAMURTHY NAGAR POLICE STATION



CNR: KAHC010209382018

NC: 2026:KHC:37094
CRL.P No. 8691 of 2018
C/W CRL.P No. 8704 of 2018

REP BY STATE PUBLIC PROSECUTOR
HIGH COURT OF KARNATAKA
BENGALURU - 560 001.

2. SMT. SANDHYA
W/O SUNIL KUMAR
AGED ABOUT 29 YEARS
R/O CHIKKAGOWDARA
SRI K S MUNIHANUMIAH
COMPOUND, KALKERE,
HORAMAVU, K R PURAM HOBLI
BENGALURU - 560 043.

...RESPONDENTS

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

THIS CRL.P IS FILED U/S.482 CR.P.C PRAYING TO
QUASH THE COMPLAINT DATED 04.08.2018 FIR
NO.493/2016 AND ENTIRE PROCEEDINGS IN
C.C.NO.54423/2017 OFFENCE P/U/S 498A R/W 34 OF IPC
WHICH IS PENDING BEFORE THE X A.C.M.M., BANGALORE.

THESE PETITIONS, 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.54423/2017 on file of X
Additional Chief Metropolitan Magistrate, Bangalore for offences
punishable under Section 498 (A) read with Section 34 of
Indian Penal Code, 1860 (**IPC**), these petitions are filed.



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C/W CRL.P No. 8704 of 2018

2. Sri Madhu R., learned counsel for petitioners submitted that Crl.P. no.8704/2018 was by accused no.1 while Crl.P. no.8691/2018 was by accused no.2 in complaint filed by respondent no.2 (complainant) alleging that marriage of complainant and accused no.1 was solemnized on 31.10.2011 at Bangalore. From wedlock, a child was born to them on 30.08.2012. Due to later matrimonial discord, complainant filed MC no.3720/2014 before Principal Judge, Family Court, Bangalore and also filed OS no.328/2015 before City Civil Court at Bangalore in order to exert pressure on accused and with intention to illegally wrest possession of residence. She further, alleged that at midnight accused used to create ferocious noise to scare her, disconnected water supply and abused her in foul language and wrongfully confined etc., sought appropriate action. Based on complaint, FIR in Crime no.493/2016 was registered and after investigation charge sheet was filed in CC no.54423/2017. Challenging said proceedings, these petitions were filed.

3. But during pendency of above matters, parties had entered into settlement in MFA no.8368/2019 connected with



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C/W CRL.P No. 8704 of 2018

MFA no.8230/2019. As per which, complainant had agreed not to pursue above proceedings against accused and to concede for their quashing. A copy of judgement passed in MFA no.8368/2019 connected with MFA no.8230/2019 dated 25.06.2026 along with settlement agreement signed by parties are produced.

4. Accused no.1 and complainant are present in Court and identified by their respective counsel.

5. On interaction, stated that they have been explained terms and conditions of settlement and after understanding same, they have affirmed same out of their free will and volition without there being any threat, coercion or undue influence from anybody.

6. Smt.Sowmya R., learned HCGP for respondent no.1 - State would fairly submits that allegations in complaint are purely *inter parte* and in view of settlement, continuation of proceedings may be futile and sought for passing appropriate orders.



CNR: KAHC010209382018

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CRL.P No. 8691 of 2018
C/W CRL.P No. 8704 of 2018

7. Sri M.R. Nanjunda Gowda, learned counsel for respondent no.2 (complainant) would support submission.

8. An application is also filed for compounding of offences which read as follows:

"APPLICATION UNDER SECTION 320 OF THE CODE OF CRIMINAL PROCEEDURE, 1973 READ WITH SECTION 482 OF THE CODE OF CRIMINAL PROCEEDURE.

- 1. We submit that the above Criminal Petitions are pending before this Hon'ble Court seeking quashing of the criminal proceedings initiated against the petitioners in C.C. No.54423/2017 arising out of Crime No.493/2016 of Ramamurthy Nagar Police Station.*
- 2. The petitioner in Criminal Petition No.8704/2018 has filed divorce petition against the respondent No.2 before the Hon'ble principal family court at Bengaluru in M.C.No.5163/2016 and for same was decreed and the respondent No.2 has filed the petition conjugal rights of in restitution M.C.No.3720/2014 and same was dismissed. Against which the respondent No.2 has preferred two appeals before the Hon'ble High court of Karnataka at Bengaluru in MFA No.8368/2019 and MFA No.8230/2019.*
- 3. We submit that during the pendency of MFA No.8368/2019 and MFA No.8230/2019 before this Hon'ble Court, the parties were referred to the Bengaluru Mediation Centre, where the disputes were amicably settled by executing a Mediation Settlement Agreement.*
- 4. In terms of the settlement, the entire matrimonial dispute has been resolved once for all. The Petitioner in Criminal Petition No.8704/2018 has paid a sum of Rs.60,00,000/- (Rupees Sixty Lakhs only) towards full and final permanent alimony to Respondent No.2, who has acknowledged receipt of the same.*
- 5. Pursuant to the settlement, the marriage between the parties has already been dissolved and all disputes,*



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claims and counter-claims have been settled finally. Respondent No.2 has no surviving grievance whatsoever against the petitioners and has voluntarily agreed to withdraw all allegations and has no objection for quashing the criminal proceedings pending against the petitioners.

6. *The present compromise has been entered into voluntarily, out of free will, without any force, coercion, undue influence or misrepresentation from any quarter.*
7. *We respectfully submit that in view of the complete settlement between the parties, continuance of the criminal proceedings would serve no useful purpose and would only amount to abuse of the process of law and In exercise of its inherent jurisdiction under Section 482 Cr.P.C., is empowered to quash the proceedings to secure the ends of justice in view of the amicable settlement arrived at between the parties.*
8. *We therefore jointly pray that this Hon'ble Court may be pleased to record the compromise arrived at between the parties and be pleased to quash all further proceedings in C.C. No.54423/2017 and all consequential proceedings pending against the petitioners, in the interest of justice and equity."*

9. Heard learned counsel and perused application.

10. These petitions are by accused no.1 and 2 challenging proceedings in CC no.54423/2017 registered on complaint filed by respondent no.2 (complainant).

11. Perusal of complaint and charge sheet would indicate that dispute arose out of marital discord and matrimonial issues. As per judgment dated 25.06.2026 passed



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NC: 2026:KHC:37094
CRL.P No. 8691 of 2018
C/W CRL.P No. 8704 of 2018

in MFA no.8368/2019 and MFA no.8230/2019, matrimonial dispute between parties is recorded as settled. One of terms of settlement therein is for giving up criminal proceedings. It is seen that allegations are purely *inter parte* and do not have any societal impact.

12. Taking note of above, judgment passed in matrimonial proceedings, settlement recorded therein and application for compounding offences filed herein, continuation of proceedings against accused would be futile if not abuse of proceedings.

13. Hence, petitions are ***allowed***, proceedings in CC no.54423/2017 on file of X Additional Chief Metropolitan Magistrate, Bangalore for offences punishable under Section 498 (A) read with Section 34 of IPC stands ***quashed***.

Sd/-
(RAVI V HOSMANI)
JUDGE

GRD
List No.: 1 Sl No.: 10