



CNR: KAHC010515302026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 19TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.NAGAPRASANNA

CRIMINAL PETITION NO. 11234 OF 2026 (482(Cr.PC) /
528(BNSS))

BETWEEN:

1. SRI.RAMARAJA M RAO
S/O LATE MELKAR MAHABALA RAO,
AGED ABOUT 66 YEARS,
RESIDING AT MELKARU VILLAGE,
PANEMANGALURU POST,
BANTWAL TALUK,
DAKSHINA KANNADA DISTRICT - 574 231.
2. SMT. SUDHA RAO
W/O LATE MELKAR VENKATAGIRI RAO,
AGED ABOUT 65 YEARS,
RESIDING AT D-NO.4-5 518/2,
SRI NILAYA, JAIL ROAD,
MANGALURU CITY - 575 003.
3. SMT. VEENA M. RAO
D/O LATE MELKAR MAHABALA RAO,
AGED ABOUT 65 YEARS,
RESIDING AT KASMO APARTMENT,
2ND FLOOR, D 2/16,
BANK STREET,
KILP, CHENNAI,
TAMIL NADU - 600 010.
4. SRI VIKRAM M. RAO
S/O LATE MELKAR VENKATAGIRI RAO,
AGED ABOUT 36 YEARS,
RESIDING AT D-NO.4-5 518/2,

Digitally signed
by PADMAVATHI
B K
Location: High
Court of
Karnataka



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SRI NILAYA, JAIL ROAD,
MANGALURU CITY - 575 003.

5. SRI VIGNESH M. RAO
S/O LATE MELKAR VENKATAGIRI RAO,
AGED ABOUT 41 YEARS,
RESIDING AT MELKARU VILLAGE,
PANEMANGALURU POST,
BANTWAL TALUK,
DAKSHINA KANNADA DISTRICT - 574 231

...PETITIONERS

(BY SRI. DIGANATH JAIN.,ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS STATION HOUSE OFFICER,
MANGALURU EAST POLICE STATION
PUTTUR, D.K. - 574 201.
BY SPECIAL PUBLIC PROSECUTOR
HIGH COURT BUILDING
BENGALURU - 01.
2. SRI VINAYAKA RAO
S/O SRI RAMACHANDRA RAO,
AGED ABOUT 51 YEARS,
RESIDING AT PLOT NO.131,
SCHEME NO.13,
USHA TV CENTRE,
RACE COURSE ROAD,
BELAGAVI
3. SRI ASHOK RAO
S/O SRI RAMACHANDRA RAO,
AGED ABOUT 43 YEARS,
RESIDING AT PLOT NO.
131, SCHEME NO.13,
USHA TV CENTRE,
RACE COURSE ROAD,



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BELAGAVI
PRESENTLY RESIDING IN LONDON,
UNITED KINGDOM

4. SMT. PRASANNA LAKSHMI RAO
W/O SRI VINAY RAO,
AGED ABOUT 51 YEARS,
RESIDING AT AVESHAN,
SUBHASHNAGAR,
3RD MAIN ROAD,
PANDESHWAR,
MANGALURU - 575 001.

...RESPONDENTS

(BY SMT. RASHMI PATIL, HCGP FOR R1;
SRI. THANOJ KUMAR, ADVOCATE FOR R2)

THIS CRL.P IS FILED U/S 482 CR.PC (FILED U/S 528
BNNS) PRAYING TO A. QUASH THE ENTIRE PROCEEDINGS IN
CC NO.23/2024 PENDING ON THE FILE OF THE COURT OF II
ADDL.SENIOR CIVIL JUDGE AND CJM DAKSHINA KANNADA
MANGALURU ARISING OUT OF CRIME NO.101/2023 OF EAST
POLICE STATION, MANGALURU FOR THE OFFENCES P/U/S 406,
465, 468, 420 OF THE IPC AND ALL FURTHER PROCEEDINGS
AGAINST THE PETITIONER.

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



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

ORAL ORDER

The Petitioners are before this Court calling in question proceedings in C.C.No.23/2024, pending before the II Additional Senior Civil Judge and CJM, Dakshina Kannada, Mangaluru, for the offences under Sections 406, 465, 468, 420 of the Indian Penal Code, 1860.

2. Heard Sri. Diganth Jain, learned counsel appearing for the petitioners, Smt. Rashmi Patel, learned HCGP appearing for respondent No.1, Sri. Thanoj Kumar, 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 joint memo of settlement along with joint affidavit. The joint memo of settlement and joint affidavit reads as follows:

" JOINT MEMO OF SETTLEMENT

The Petitioners and Respondent Nos. 2 to 4, through their respective counsel, most respectfully submit this Joint Memo as follows:

1. The above Criminal Petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita,



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2023, seeking quashing of the entire proceedings in C.C. No. 23/2024 (P.C.R. No. 24/2023), pending on the file of the Court of the II Additional Senior Civil Judge and Chief Judicial Magistrate, Dakshina Kannada, Mangaluru, arising out of Crime No. 101/2023 of Mangaluru East Police Station, for offences punishable under Sections 406, 465, 468 and 420 of the Indian Penal Code, 1860, and all further proceedings against the Petitioners/Accused Nos. 1 to 5.

2. The proceedings arose from an intra-family dispute concerning the properties of Late Sri Melkar Mahabala Rao and the Partition Deed dated 31.03.1998. Respondent Nos. 2 to 4 had also instituted O.S. No. 47/2023 before the Court of the Principal Senior Civil Judge and Chief Judicial Magistrate, Mangaluru, seeking declaration, partition and injunction in respect of the same subject matter.

3. During the pendency of the proceedings, the parties, with the intervention of family members and well-wishers, amicably resolved all their disputes. In full and final settlement, a registered Gift Deed dated 10.02.2026 bearing Document No. 8220/2025-26 was executed in favour of Respondent Nos. 2 to 4 and registered in the office of the Sub-Registrar, Bantwal.

4. Pursuant to the settlement, Respondent No. 2, Sri Vinayaka Rao, for himself and as the Power of Attorney holder/authorised representative of Respondent Nos. 3 and 4, filed memos in O.S.No.47/2023 recording that the claims stood fully settled are that the suit was not pressed. By order dated 28.02.2026, the Civil Court dismissed O.S. No. 47/2023 as not pressed, with no order as to costs.

5. The parties state that the settlement is lawful, voluntary, unconditional and final, and has been arrived at without force, fraud, coercion, threat or undue influence. The parties have understood the nature and consequences of this settlement and undertake to remain bound by it.

6. Respondent Nos. 2 to 4 confirm that they have no surviving claim or grievance against any of the



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Petitioners in relation to the subject matter of the complaint, FIR, charge sheet and C.C. No. 23/2024. They have no objection to, and expressly consent to, the quashing of the entire criminal proceedings against all the Petitioners/Accused Nos. 1 to 5.

7. In view of the complete settlement of the private family-property dispute, no useful purpose would be served by continuing the criminal proceedings. The parties therefore jointly request that this Hon'ble Court be pleased to take this Joint Memo on record, quash the entire proceedings in C.C. No. 23/2024 arising out of Crime No. 101/2023, including the FIR, charge sheet and all consequential proceedings against the Petitioners, and dispose of the Criminal Petition in terms of the settlement, in the interest of justice and equity."

"JOINT AFFIDAVIT

We, (1) SRI M. RAMARAJA RAO, S/o Late Melkar Mahabala Rao, aged about 66 years, residing at Melkaru Village, Panemangaluru Post, Bantwal Taluk, Dakshina Kannada District, Petitioner No. 1/Accused No. 1, for myself and being duly authorised by Petitioner Nos. 2 to 5; and (2) SRI VINAYAKA RAO, S/o Sri Ramachandra Rao, aged about 48 years, residing at Plot No. 131, Scheme No. 13, Usha TV Centre, Race Course Road, Belagavi 590001, Respondent No.2/De facto Complainant No.1, for myself and as Power of Attorney holder/authorised representative of Respondent Nos.3 and 4 do hereby solemnly affirm and jointly state on oath as follows:

1. We are the Petitioner No. 1 and Respondent No. 2 respectively in the above Criminal Petition. We are fully conversant with the facts and circumstances of the case and are competent and authorised to swear to this Joint Affidavit on behalf of the parties whom we represent.

2. The above Criminal Petition seeks quashing of the entire proceedings in C.C. No. 23/2024 (P.C.R. No. 24/2023), pending before the Court of the II Additional Senior Civil Judge and Chief Judicial Magistrate, Dakshina Kannada, Mangaluru, arising out of Crime No. 101/2023



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of Mangaluru East Police Station, for offences punishable under Sections 406, 465, 468 and 420 of the Indian Penal Code, 1860, and all further proceedings against Petitioner Nos. 1 to 5/Accused Nos. 1 to 5.

3. The criminal proceedings arose from a private and intra-family property dispute concerning the properties of Late Sri Melkar Mahabala Rao and the Partition Deed dated 31.03.1998. In respect of the same properties and substantially the same subject matter, Respondent Nos. 2 to 4 had instituted O.S. No. 47/2023 before the Court of the Principal Senior Civil Judge and Chief Judicial Magistrate, Mangaluru, seeking declaration, partition and injunction.

4. During the pendency of the civil and criminal proceedings, the parties voluntarily entered into an amicable settlement with the intervention of family members and well-wishers. In terms of the settlement, the claims of Respondent Nos.2 to 4 were fully settled through the execution of a registered Gift Deed dated 10.02.2026 bearing Document No.8220/2025-26, registered in the office of the Sub-Registrar, Bantwal, in favour of Respondent Nos.2 to 4.

5. Thereafter, Respondent No. 2, for himself and as Power of Attorney holder of Respondent Nos. 3 and 4, filed memos before the Civil Court stating that the claims had been fully settled and that O.S. No. 47/2023 was not pressed. The Civil Court, by order dated 28.02.2026, dismissed the suit as not pressed, with no order as to costs.

6. We state that the settlement has been fully acted upon and that all disputes, claims and differences between the Petitioners and Respondent Nos. 2 to 4 arising from or connected with the subject matter of the private complaint, FIR, charge sheet, C.C. No. 23/2024 and O.S. No. 47/2023 have been fully and finally resolved. No claim or grievance survives between the private parties in relation to the said subject matter.

7. We state that the settlement is genuine, lawful and voluntary. It has been entered into of our own free



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will, after understanding its nature and consequences, and without force, fraud, coercion, pressure, threat, inducement or undue influence from any person.

8. Respondent No. 2, for himself and on behalf of Respondent Nos. 3 and 4, specifically states that Respondent Nos. 2 to 4 have no objection to the quashing of the FIR in Crime No. 101/2023, Charge Sheet No. 126/2023, the entire proceedings in C.C. No. 23/2024, and all consequential proceedings against all the Petitioners/Accused Nos. 1 to 5.

9. We further state that the dispute is personal and predominantly civil in nature, arising from a family property arrangement. In view of the complete settlement and absence of any surviving grievance on the part of Respondent Nos. 2 to 4, continuation of the criminal proceedings would serve no useful purpose and would cause avoidable hardship to the parties.

10. We therefore jointly pray that this Hon'ble Court may be pleased to take this Joint Affidavit and the accompanying Joint Memo of Settlement on record, quash the entire proceedings in C.C. No. 23/2024 arising out of Crime No. 101/2023, including the FIR, charge sheet and all consequential proceedings against Petitioner Nos. 1 to 5/Accused Nos. 1 to 5, and dispose of the Criminal Petition in terms of the settlement, in the interest of justice and equity."

4. In the light of joint memo of settlement and joint affidavit being filed and offences not being against the State, I deem it appropriate to accept the same and terminate the proceedings against the petitioner in the subject petition.

5. For the aforesaid reasons, the following:



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ORDER

- i. Criminal Petition is disposed.
- ii. Proceedings in C.C.No.23/2024, pending before the II Additional Senior Civil Judge and CJM, Dakshina Kannada, Mangaluru, stands quashed *qua* these petitioners.

**Sd/-
(M.NAGAPRASANNA)
JUDGE**

PHM
List No.: 2 Sl No.: 42