



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 13TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE RAVI V HOSMANI

CRIMINAL PETITION NO. 11426 OF 2022

BETWEEN:

1. SRI. RAJU N.L. @ VARADARAJU,
S/O LOKESH N.M.,
AGED ABOUT 31 YEARS,
OCCUPATION: CONSTRUCTION WORK,
RESIDING AT NARASIPURA VILLAGE,
ARASIKERE TALUK,
HASSAN DISTRICT - 573 144.
2. SMT. RATHNAMMA K.A.,
W/O LOKESH N.M.,
AGED ABOUT 52 YEARS,
OCCUPATION: ASST. TEACHER,
GOVERNMENT HIGHER PRIMARY SCHOOL,
SATHANAGERE,
RESIDING AT
NARASIPURA VILLAGE,
HIRISADARAHALLI HOBLI,
ARASIKERE TALUK,
HASSAN DISTRICT - 573 144.
3. SRI. LOKESH N.M.,
S/O LATE MELEGOWDA,
AGED ABOUT 54 YEARS,
OCCUPATION: CAR DRIVER,
RESIDING AT NARASIPURA VILLAGE,
HIRISADARAHALLI HOBLI,

Digitally signed
by ANUSHA V
Location: High
Court of
Karnataka



ARASIKERE TALUK,
HASSAN DISTRICT - 573 144.

4. SMT. K.A.LALITHA,
W/O M. PANCHAKSHARI,
AGED ABOUT 48 YEARS,
OCCUPATION: HOUSE WIFE,
RESIDING AT KALLESHWARA EXTENSION,
HOSADURGA TOWN,
CHITRDURGA DISTRICT - 577 527.
5. SRI. PANCHAKSHARI M,
S/O K.MALLAPPA,
AGED ABOUT 50 YEARS,
OCCUPATION: AGRICULTURIST,
RESIDING AT N.G.HALLI VILLAGE,
NARAYANAGONDANAHALLI HOBLI,
HOLALKERE TALUK,
CHITRADURGA DISTRICT - 577 526.
6. SRI. RAJANIKANTH R.L.,
S/O LOKESH,
AGED ABOUT 29 YEARS,
OCCUPATION: SENIOR 'QA' ENGINEER
AT TESTYANTRA SOFTWARE SOUTIONS
(INDIA) PRIVATE LIMITED,

PERMANENT RESIDENT OF
NARASIPURA VILLAGE,
HIRISADARAHALI HOBLI,
ARASIKERE TALUK,
HASSAN DISTRICT - 573 144.

NOW RESIDING AT
SRI DURGA RESIDENCY,



NO.45 NEAR 43A BUS STOP,
KATRIGUPPE MAIN ROAD,
BANGALORE - 560 085.

...PETITIONERS

(BY SRI. SRINIVAS N., ADVOCATE)

AND:

1. STATE OF KARNATAKA,
BY SRIRAMPURA POLICE STATION,
CHITRADURGA DISTRICT - 577
REPRESENTED BY S.P.P.,
HIGH COURT OF KARNATAKA,
BANGALORE - 560 001.
2. SMT. NAYANA K,
W/O VARADARAJU N.L.,
AGED ABOUT 29 YEARS,
GUDDADANERALAKERE VILLAGE,
HOSADURGA TALUK,
CHITRADURGA DISTRICT - 577 527.

...RESPONDENTS

(BY SMT.SOWMYA R., HCGP FOR R1;
SRI.NANJAPPA B.N., ADVOCATE FOR R2)

THIS CRL.P. IS FILED U/S.482 OF CR.P.C PRAYING TO
QUASH THE PROCEEDINGS PENDING AGAINST THEM IN
CR.NO.167/2022 FOR THE OFFENCE P/U/S 498A, 323, 504,
506 R/W 149 OF IPC AND SEC.3, 4 OF D.P ACT PENDING FOR
INVESTIGATION ON THE FILE OF THE ADDL. CIVIL JUDGE
(Jr.Dn) AND JMFC, HOSADURGA, CHITRADURGA DISTRICT, BE
QUASHED A SIT RELATES TO THE PETITIONERS IS
CONCERNED.



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

CORAM: HON'BLE MR. JUSTICE RAVI V HOSMANI

ORAL ORDER

Challenging proceedings in Crime No.167/2022, registered by Srirampura Police Station, for offences punishable under Section 498A, 323, 304, 506 r/w Section 149 of IPC and Sections 3 and 4 of Dowry Prohibition Act, presently stated to be pending on file of Additional Civil Judge (Jr.Dn.) & JMFC, Hosadurga, Chitradurga District, this petition is filed.

2. Sri Srinivas N., learned Counsel for petitioners-accused no.1 to 6 submitted that proceedings were initiated on a complaint filed by respondent no.2 herein on 23.09.2022 stating that complainant married accused no.1-petitioner no.1 on 23.05.2021. At time of marriage, certain gold jewelry were demanded and given. That marriage was happy for few months. At that time, complainant was employed in a company at Bangalore, but not allowed to continue and accused no.1 had got transferred an amount of Rs.2,50,000/- from her account



to his account. Thereafter, marital discord ensued due to accused pestering her for more dowry and she was driven out of matrimonial house. Even, after fetching her back, there was ill-treatment, abuse and assault leading to filing of complaint. However, Complainant and accused no. 1 had later filed M.C.No.47/2023, before Senior Civil Judge (Jr.Dn.) and JMFC Court, Hosadurga, Chitradurga District under Section 13B of Hindu Marriage Act for dissolution of their marriage. Same was allowed on 12.07.2024.

3. It is stated that complainant does not press any allegations and pursue matter and therefore consents for quashing of proceedings. A joint memo is filed to said effect which reads as under:

"JOINT MEMO

The petitioner No.1 and respondent No.2 submits as under;

1. The petitioners herein have filed above criminal petition praying for quashing of the proceedings pending against them in Crime No.167/2022, for offences punishable under section 498A, 323, 504, 506, read with section 149 of Indian Penal Code and section 3 & 4 of Dowry Prohibition Act, now pending on the file of Hon'ble Court of Addl. Civil Judge (Jr. Dn) & JMFC Court, Hosadurga, Chitradurga District.

2. It is submitted that the petitioner No.1 and respondent No.2 during pendency of the above matter, have filed



petition in M.C. No. 47/2023 under section 13(B) of Hindu Marriage Act on the file of Hon'ble Court of Senior Civil Judge & J.M.F.C., at Arsikere, praying the Hon'ble Court to grant decree of divorce by mutual consent. The respondent No.2 herein got examined herself as PW2 wherein she undertook to withdraw her complaint filed against petitioners herein before the 1st respondent police in Crime No.167/2022 subject to a condition that petitioner No.1 would pay Rs.6,75,000/-towards permanent alimony which has been paid by the 1st petitioner by way of DD of Rs.6,70,000/- drawn on Canara Bank, Arasikere Branch and balance amount of Rs.5,000/- was paid by way of cash before the Hon'ble Court below. Pursuant to which the Hon'ble Court below was pleased to allow the petition filed by the petitioner No.1 and respondent No.2 as petitioner No.1 & Judgment dated 12/07/2024 and drawn the decree of divorce, by dissolving the marriage of petitioner No.1 and respondent No.2 Certified Copies of Judgment & Decree, dated 23/05/2021. Depositions of petitioner No.1 and respondent No.2 herein in M.C. No.47/2023 and copies of Adhar Cards of petitioners herein are produced herewith for kind perusal of this Hon'ble Court.

3. The respondent No.2 herein has no objections to quash the proceedings pending against the petitioners herein in Crime No.167/2022, for offences punishable under section 498A, 323, 504, 506, read with section 149 of Indian Penal Code and section 3 & 4 of Dowry Prohibition Act, pending on the file of Hon'ble Court of Addl. Civil Judge (Jr. Dn) & JMFC Court, Hosadurga, Chitradurga District.

WHEREFORE, it is respectfully prayed that this Hon'ble court b pleased to quash the proceedings pending against petitioners here in were arrayed as accused No.1 to 6 in Crime No.167/2022, f offences punishable under section 498A, 323, 504, 506, read w section 149 of Indian Penal Code and section 3 & 4 of Dow Prohibition Act, pending on the file of Hon'ble Court of Addl. C Judge (Jr. Dn) & JMFC Court, Hosadurga, Chitradurga District, allowing the present petition, in the interest of justice and equity."

4. And that complainant had also filed an affidavit affirming above terms. In view of above, learned counsel pray for



allowing application filed under Section 320(2) r/w Section 482 of Cr.P.C.

5. Learned counsel for respondent No.2-complainant submits that, in view, of joint memo, offences may be compounded.

6. Learned counsel submits that parties were present and identified them. On interaction, both parties state that they affirm contents of joint memo and affidavit.

7. Learned High Court Government Pleader for respondent no.1-State would fairly submit genesis of dispute between parties appears to be matrimonial discord, which appears to have been settled and therefore, appropriate orders may be passed.

8. Joint memo as well as application filed under Section 320(2) r/w Section 482 of Cr.P.C. is taken on record.

9. Perusal of complaint would reveal that allegations therein are purely intra parte and due to matrimonial dispute which has since been settled between parties.



10. Though complaint is filed for offence punishable under Sections 498A, 323, 304, 506 r/w Section 149 of IPC and Sections 3 and 4 of Dowry Prohibition Act, some of them are cognizable and non-compoundable, considering that parties have amicably resolved dispute and complainant has no objection to quashing proceedings, continuing proceedings would be futile. In given circumstances, probability of conviction appears bleak and allowing criminal proceedings to continue would amount to abuse of process of law.

11. Hence, following.

ORDER:

(i) Criminal petition is **allowed**.

(ii) Impugned proceedings in Crime no.167/2022 pending on file of learned Additional Civil Judge (Jr.Dn.) & JMFC Court, Hosadurga, Chitradurga District is hereby quashed.

**Sd/-
(RAVI V HOSMANI)
JUDGE**