



CNR: KAHC010638262023

NC: 2026:KHC:53101
CRL.P No. 13410 of 2023

IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 24TH DAY OF SEPTEMBER, 2026
BEFORE
THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY
CRIMINAL PETITION NO. 13410 OF 2023

BETWEEN:

SHRI VINAY K
S/O KALESHAPPA
AGED ABOUT 32 YEARS
RESIDING AT WARD NO. 22
VIJIPURA AMANIKERE
VIJIPURA, DEVANAHALLI TALUK
BANGALOE RURAL - 562 135.

...PETITIONER

(BY SRI THIRIBHUVAN CHAKNAVARTHY H.Y, ADV.,)

AND:

1. STATE BY RAJAGOPALANAGAR P.S
REPRESENTED BY ADDITIONAL
GOVERNMENT ADVOCATE
HIGH COURT BUILDING
AMBEDKAR VEEDHI
BANGALORE - 560 001.
2. SMT NAYANA G.B
W/O VINAY K
AGED ABOUT 27 YEARS
RESIDING AT MURUGENDRAPPA
EXTENSION, NEAR SHAADIMAHAL
HOLALKERE TALUK
CHITRADURGA DISTRICT - 577 526.

...RESPONDENTS

(BY SRI RAHUL RAI K, HCGP FOR R-1;
R-2 SERVED BU UNREPRESENTED)

THIS CRL.P. IS FILED U/S 482 CR.PC PRAYING TO QUASH THE
ENTIRE PROCEEDINGS IN C.C.NO.13966/2018 A AGAINST THE
PETITIONER PENDING BEFORE THE VIII ADDITIONAL CHIEF

Digitally
signed by
NANDINI M
S
Location:
HIGH
COURT OF
KARNATAKA





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METROPOLITAN MAGISTRATE, BANGALORE FOR THE OFFENCE P/U/S 498A R/W 34 OF IPC AND SEC. 3 AND 4 OF D.P. ACT.

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

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

1. Accused no.1 is before this Court in this petition filed under Section 482 of Cr.PC with a prayer to quash the entire proceedings in C.C.No.13966/2017 pending before the Court of VII Addl. Chief Metropolitan Magistrate, Bengaluru, arising out of Crime No.436/2016 registered by Rajagopal Nagar Police Station, Bengaluru City, for the offences punishable under Sections 498-A read with 34 of IPC and Sections 3 & 4 of Dowry Prohibition Act, 1961.

2. Heard the learned Counsel for the petitioner and the learned HCGP for respondent no.1-State. Respondent no.2 though served in the matter, has remained unrepresented before this Court.

3. Perusal of the material on record would go to show that marriage of the petitioner with respondent no.2 was solemnized on 01.01.2016 at Holalkere. It is alleged that at the time of



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marriage, petitioner and his family members were given dowry in cash and in the form of gold jewelry by the family members of the first informant. All other allegations with regard to ill-treatment of respondent no.2 in the matrimonial home are omnibus in nature. No specific instances of such ill-treatment has been stated in the first information submitted by respondent no.2.

4. The material on record would go to show that after registration of FIR in the present case, respondent no.2 herein had filed a petition under Section 125 Cr.PC seeking maintenance in Crl. Misc. No.196/2018 before the jurisdictional Court of Magistrate and the said matter was referred to Lok Adalath for the purpose of settlement. It appears that respondent no.2 had agreed to receive a total sum of Rs.7,50,000/- from the petitioner towards permanent alimony with an understanding that an amount of Rs.3,50,000/- was to be paid initially and the balance of Rs.4,00,000/- was to be paid after divorce petition by mutual consent is filed before the jurisdictional Court. Subsequently, a petition was filed under Section 125(3) of Cr.PC by respondent no.2 herein alleging that



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petitioner who had agreed to pay a sum of Rs.7,50,000/- before the Lok Adalath in Crl. Misc. No.196/2018, had only paid Rs.3,50,000/- and the balance amount of Rs.4,00,000/- was not paid. In the said petition bearing Crl. Misc. No.54/2020, the petitioner had paid the entire balance amount as claimed by respondent no.2, and vide order dated 05.10.2021, Crl. Misc. No.54/2020 was disposed of.

5. From the aforesaid, it appears that petitioner has already paid an amount of Rs.7,50,000/- to respondent no.2 as agreed and the parties had also submitted before the Court in which proceedings under Section 125 Cr.PC was pending, that the dispute between the parties has been settled and they had agreed to dissolve their marriage by mutual consent. In furtherance of such agreement, the amount of Rs.7,50,000/- towards permanent alimony was paid.

6. According to the learned Counsel for the petitioner, thereafter respondent no.2 has not been appearing before the Court in the present proceedings and even proclamation orders have been issued as against her. Under the circumstances, I



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am of the opinion that continuation of the impugned criminal proceedings as against the petitioner would amount to abuse of process of law and for the purpose of securing the ends of justice, it is necessary to quash the same. Accordingly, the following order:

7. Petition is allowed. The entire proceedings in C.C.No.13966/2017 pending before the Court of VII Addl. Chief Metropolitan Magistrate, Bengaluru, arising out of Crime No.436/2016 registered by Rajagopal Nagar Police Station, Bengaluru City, for the offences punishable under Sections 498-A read with 34 of IPC and Sections 3 & 4 of Dowry Prohibition Act, 1961, is quashed as against the petitioner herein.

**Sd/-
(S VISHWAJITH SHETTY)
JUDGE**

KK