



CNR: KAHC010708172024

NC: 2026:KHC:54456
CRL.P No. 14132 of 2024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE RAJESH RAI K

CRIMINAL PETITION NO. 14132 OF 2024

BETWEEN:

SRI. T.SHANKER
S/O SRI. T.ASHAPPA
AGED ABOUT 62 YEARS
RESIDING AT NO.92A,
4TH MAIN, ITI LAYOUT,
NAYANDAHALLI,
BENGALURU 560 039.

...PETITIONER

(BY SRI. AJIT KALYAN, ADVOCATE)

AND:

SRI H.S.UMASHANKAR SWAMY
S/O SRI.H.S.SIDDALINGA SHETTY
AGED ABOUT 62 YEARS,
RESIDING AT NO.153, 9TH MAIN,
4TH CROSS, BIKASIPURA,
SUBRAMANYA POST,
BENGALURU 560 062.

...RESPONDENT

(BY SRI. HARIPRASAD U.J., ADVOCATE)

THIS CRL.P IS FILED U/S 482 OF CR.PC (FILED U/S 528
BNNS) PRAYING TO CALL FOR RECORDS AND SET ASIDE THE
ORDER DATED 10.04.2024 PASSED BY THE HON'BLE

Digitally signed
by PANKAJA S
Location: HIGH
COURT OF
KARNATAKA



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ADDITIONAL CITY CIVIL AND SESSIONS JUDGE, (CCH 56),
BENGALURU IN CRL.A.NO.1042/2023, PRODUCED VIDE
ANNEXURE A, AND CONSEQUENTLY PERMIT THE PETITIONER
TO PRODUCE THE DOCUMENTS AS SOUGHT FOR AND ETC.

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

CORAM: HON'BLE MR. JUSTICE RAJESH RAI K

ORAL ORDER

Learned counsel for the respective parties filed joint
compromise petition under Section 329 r/w 528 of BNSS, 2023
and stated in the application that the parties have settled their
dispute amicably.

2. The parties to the proceedings are present before the
Court and they have affixed their signatures on the joint
affidavit. The joint affidavit is taken on record.

3. It is stated in the petition that the petitioner has agreed
to pay a sum of Rs.13,00,000/- (Rupees Thirteen Lakhs only)
to the respondent as full and final settlement within 90 days
from today. The said joint compromise petition reads as under:

*"1. The Petitioner was convicted and directed to
pay a sum of Rs.22,00,000/- (Rupees Twenty Two Lakhs*



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Only) to the Respondent vide Judgment dated 14.07.2023, passed by the Hon'ble Trial Court in CC No.223/2021.

2. The Petitioner has challenged the Judgment dated 14.07.2023 in CC No.223/2021 before the Hon'ble Appellate Court in Crl.A.1042/2023. The Petitioner has deposited a sum of Rs.4,40,000/- (Rupees Four Lakhs Forty Thousand Only) before the Hon'ble Appellate Court. The said Appeal in Crl.A.1042/2023 is presently pending for adjudication before the Hon'ble Appellate Court.

3. The Petitioner had filed an Interim Application under Section 391 of the CrPC before the Hon'ble Appellate Court and had sought for permission to produce additional documents. The Hon'ble Appellate Court has dismissed the Petitioner's Application vide Order dated 10.04.2024. The said Order dated 10.04.2024 is the impugned order challenged by the Petitioner in the present Petition.

4. That during the pendency of the present proceedings, at the intervention of well-wishers, advocates and mutual acquaintances, and without prejudice to the rights and contentions of the Petitioner in the pending appeal and the present petition, the parties have voluntarily and amicably arrived at a full and final settlement of all disputes and claims that form the subject matter of the aforementioned proceedings:

a. That in terms of the said settlement, the Petitioner has agreed to pay. and the Respondent has agreed to accept, a total sum of Rs.13,00,000/-(Rupees Thirteen Lakhs Only) as the full and final consideration towards the complete and absolute settlement of all claims pertaining to C.C.No.223/2021, Crl.A.No.1042/2023, and the present Criminal Petition within 90 days from the date of this Compromise Memo.

b. In pursuance of the aforementioned understanding between the Petitioner and the Respondent, the Petitioner has no objection for the Respondent to withdraw the deposited sum of



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Rs.4,40,000/- (Rupees Four Lakhs Forty Thousand Only) before the Hon'ble Appellate Court within 7 days from the date of this Compromise Memo in accordance with law.

c) The Petitioner agrees to pay a sum of Rs.3,00,000/- (Rupees Three Lakhs Only) within 45 days of this Compromise Memo to the Respondent through RTGS.

d) The Petitioner agrees to pay the balance sum of Rs.5,60,000/- (Rupees Five Lakhs Sixty Thousand Only) to the Respondent within an outer limit of 90 days of this Compromise Memo through RTGS.

5. That the Respondent hereby unequivocally agrees and undertakes that upon the receipt of the entire settlement amount of Rs.13,00,000/- as detailed supra, he shall have no further claims, dues, or demands of any nature whatsoever, whether civil or criminal, against the Petitioner arising from the transaction which led to the filing of C.C.No.223/2021.

6. That the Respondent further undertakes to co-operate fully in all legal formalities required to give effect to this settlement, including but not limited to, appearing before this Hon'ble Court and the Hon'ble Appellate Court to record the compromise and to seek disposal of all pending proceedings in terms thereof.

7. That it is expressly agreed that this settlement is entered into by the Petitioner to secure a quietus to the matter and to avoid the rigors and uncertainties of protracted litigation, and shall not be construed as an admission of liability or guilt on the part of the Petitioner in any manner.

8. That the rights and remedies of the Petitioner in the pending Crl.A.No.1042/2023 and the present Criminal Petition shall remain expressly reserved and shall not be deemed to be waived until the entire settlement amount as agreed herein is paid in full to the Respondent.

9. That upon the realization of the entire settlement amount, the Respondent undertakes to not initiate or



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pursue any other legal proceedings, civil, criminal, or otherwise, against the Petitioner, his family members, agents, or assigns in respect of the subject matter of the original complaint.

10. The Respondent undertake to withdraw the two Criminal Complaint filed by the Respondent against Sri.Santhosh Kesari, which is pending before the Hon'ble 22nd Addl. Chief Metropolitan Magistrate Court at Bengaluru, in C.C No.12179 of 2025 and C.C.No.27829 of 2025, immediately after receipt of the above said amount by the Petitioner.

11. That the parties hereto confirm that this settlement has been entered into out of their own free will and volition, and that the same is not a result of any force, fraud, coercion, misrepresentation, or undue influence from any quarter whatsoever.

WHEREFORE, the Petitioner and the Respondent respectfully submit that this Hon'ble Court may kindly adjudicate the present petition in the aforementioned terms in the interest of Justice. Further, it is respectfully submitted that this Hon'ble Court may kindly take this Joint Compromise Memo on record; Record the settlement arrived at between the parties in terms of this Memo; Dispose of the present Criminal Petition No.14132/2024 in terms of this settlement; Grant liberty to the parties to file this Compromise Memo before the Hon'ble Appellate Court in Crl.A.No.1042/2023 and seek appropriate orders for the disposal of the appeal in accordance with law; and Pass such other or further orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case, in the interest of justice."

4. Placing reliance on the joint compromise petition and also considering the aspect that the offence alleged against the petitioner is compoundable in nature and parties are permitted to compound the offence and they are also entitled to file the



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compromise petition before the Appellate Court in
Crl.A.No.1042/2023 pending on the file of LV Addl. CC and SJ,
(CCH-56), Bengaluru.

Placing reliance on the above discussion, petition stands
disposed of.

**SD/-
(RAJESH RAI K)
JUDGE**

GPG
List No.: 1 SI No.: 8