IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 15TH DAY OF DECEMBER, 2020

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

CRIMINAL PETITION NO.3961 OF 2020

BETWEEN:

1. MR. ARVIND REDDY. G
   S/O MR. T. GOPALA REDDY
   AGED ABOUT 36 YEARS

2. MR. GOPALA REDDY. T
   S/O MR. LATE TIPPA REDDY
   AGED ABOUT 73 YEARS

3. MRS. BHAVYA
   W/O MR. ARVIND REDDY. G
   AGED ABOUT 34 YEARS

4. MRS. PAVITRA. R
   W/O MR. KUMAR. B
   AGED ABOUT 33 YEARS

5. MR. KUMAR
   S/O MR. BALARAJ
   AGED ABOUT 34 YEARS

6. MRS. INDIRAMMA
   W/O MR. GOPALA REDDY.Y
   AGED ABOUT 56 YEARS

   PETITIONER NOS. 1 TO 6
   ARE RESIDING AT:
   R/AT NO.3, "AAKANKSHA"
   3RD CROSS, SRI SATHYA SAI BABA LAYOUT
   KODIGEHALLI MAIN ROAD, K R PURAM
   BANGALORE-560036

7. MRS. JYOTHI

W/O MR. ANAND G
AGED ABOUT 32 YEARS

8. MR. ANAND. G
S/O MR. GPPALA REDDY. T
AGED ABOUT 34 YEARS

PETITIONER NOS. 7 AND 8
ARE RESIDING AT:
R/A NO.33, "SAIBABA NILAYA"
2ND CROSS, SRI SATHYA SAI BABA LAYOUT
KODIHALLI MAIN ROAD, K R PURAM
BANGALORE-560036

9. MRS. ARUNA DEVI
W/O MR. SATISH REDDY
AGED ABOUT 40 YEARS
R/A NO.3, "SAMRUDHI NILAYA"
2ND CROSS, SRI SATHYA SAI BABA LAYOUT
KODIGEHALLI MAIN ROAD, K R PURAM
BANGALORE-560036 ...PETITIONERS

(BY SRI. SIDDHARTH B MUCHANDI, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
BY THE POLICE OF K.R. PURAM STATION
BANGALORE CITY
REPRESENTED BY SPP
HIGH COURT OF KARNATAKA
HIGH COURT BUILDING
AMBEDKAR VEEDHI
BANGALORE-560001

2. MRS. SUMA PRIYA
D/O VENU GOPALA REDDY
AGED 27 YEARS
R/A AT G-1 SRIPADAM GRAND APTS
FRIENDS LAYOUT NR. GOVT HOSPITAL
SHEEGEHALLI, K.R. PURAM
BANGALORE-560036 … RESPONDENTS

(BY SMT. NAMITHA MAHESH B.G, HCGP FOR R1;
SRI. AKASHARAO, ADVOCATE FOR R2)

THIS CRIMINAL PETITION IS FILED UNDER SECTION 482 OF CR.P.C, PRAYING TO QUASH THE FIR REGISTERED BY RESPONDENT NO.1 IN CR.NO.241/2020 PENDING BEFORE THE HON'BLE 10TH A.C.M.M., COURT AT MAY HALL, BENGALURU FOR THE OFFENCE P/U/S 354B, 427, 494, 506, 498A, 307, 327, 448, 420, 147, 149, 143, 313 OF IPC.

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THIS CRIMINAL PETITION COMING ON FOR DISPOSAL, THIS DAY, **THROUGH VIDEO CONFERENCE** THE COURT MADE THE FOLLOWING:

ORDER

1. The petitioners are before this Court seeking for quashing of the proceedings in Crime No.241/2020 registered for the alleged offences punishable under Sections 354(B), 427, 504, 494, 506, 498A, 307, 327, 448, 420, 147, 143 and 313 read with Section 149 of IPC pending on the file of 10th Additional Chief Metropolitan Magistrate, Bangalore.

2. During the pendency of the above proceedings, the parties had filed a joint compromise petition on 07.10.2020 wherein it is stated that

respondent No.2 would be withdrawing all the allegations made against the petitioners. When the matter had taken up on 14.10.2020, it was noticed that the amounts agreed to be paid by the petitioners to respondent No.2 had not been reflected in the joint compromise petition. Hence, counsel sought time. A further affidavit has now been filed on 04.12.2020 recording the payment of a sum of Rs.30,00,000/- by way of three demand drafts drawn in favour of respondent No.2 by the petitioners.

3. Respondent No.2 – Mrs.Suma Priya is before this Court through video conferencing identified by her counsel Mr.Akash R.Rao, learned Counsel for the respondent No.2. She submits that all the disputes between herself and petitioners have been resolved, amounts which are due to her as also apartment which is due to her as per agreement arrived at have been paid and given

respectively. In view thereof, she submits that she has no interest in prosecuting the complaint and she has also agreed in terms of the statement made in the affidavit dated 04.12.2020.

4. The petitioners are before this Court through video conferencing identified by their counsel Sri.Siddharth B.Muchandi, learned counsel for the petitioners, who confirm having paid the aforesaid amounts.

5. In view of the above, payment as also understanding arrived at between the petitioners and respondent No.2-complainant and respondent No.2 withdrawing all her allegations made against the petitioners and she being not interested in prosecuting the matter, I am of the considered opinion that there would be no purpose served in continuing the proceedings. As such, taking into account the dicta laid down

by the Hon'ble Apex Court in the case of ***Gian Singh vs. State of Punjab and another*** reported in ***(2012) 10 SCC 303***, the proceedings in Crime No.241/2020 pending on the file of 10th Additional Chief Metropolitan Magistrate, Bengaluru registered for the alleged aforesaid offences are hereby quashed.

6. Petition is accordingly allowed.

Sd/-
JUDGE

Prs*