NC: 2024:KHC:52760
CRL.P No. 2572 of 2024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 18TH DAY OF DECEMBER, 2024

BEFORE

THE HON'BLE MR JUSTICE M.NAGAPRASANNA

CRIMINAL PETITION NO. 2572 OF 2024

BETWEEN:

1. ABBAS. N. K.
   S/O. MOOSSA,
   AGED ABOUT 49 YEARS,
   R/AT TEAM-2, 5TH FLOOR,
   SAMANVITHA COMPLEX,
   MAYUR STREET, HEBBAL,
   BANGALORE - 560 094.

2. MOHAMMAD NAZIR (ALIYAS)
   ABDUL NASEER KUTTIKANDIYAL
   S/O. ABDUL KUTTIKANDIYAL,
   AGED ABOUT 43 YEARS,
   R/AT TEAM-2, 5TH FLOOR,
   SAMANVITHA COMPLEX,
   MAYUR STREET, HEBBAL,
   BANGALORE-560 094.

...PETITIONERS

(BY SRI. DALWAI VENKATESH, ADVOCATE)

Digitally signed by NAGAVENI
Location: HIGH COURT OF KARNATAKA

AND:

1. STATE OF KARNATAKA
   BY ANNAPOORNESHWARINAGAR PS,
   REPRESENTED BY STATE PUBLIC PROSECUTOR,
   HIGH COURT OF KARNATAKA,
   BANGALORE-560 001.

2. R. SUKUMAR
   S/O. M. V. RAMACHANDRAPPA,
   AGED ABOUT 39 YEARS,
   NO.844, G/F, 12TH MAIN ROAD,
   VINAYAKA LAYOUT,
   2ND STAGE, NAGARABHAVI,
   BANGALORE.

…RESPONDENTS

(BY SRI. HARISH GANAPATHY, HCGP FOR R1;
SRI. V. LAKSHMI KANTH RAO, ADV. FOR R2)

THIS CRL.P IS FILED U/S 482 CR.PC PRAYING TO QUASH FIR IN CR.NO.0084/2024 REGISTERED BY THE RESPONDENT NO.1 ANNAPOORNESHWARI NAGAR POLICE STATION, PENDING THE IN THE FILE OF IV ADDL. CMM AT BANGALORE FOR THE OFFENCE P/U/S 406, 420, 506 R/W 34 OF IPC, PRODUCED AT DOCUMENT NO.1, IN SO FAR AS PETITIONERS IS CONCERNED.

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

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

ORAL ORDER

Heard the learned counsel Sri.Venkatesh P. Dalwai, appearing for the petitioners, the learned High Court Government Pleader Sri.Harish Ganapathy, appearing for respondent No.1 and the learned counsel Sri.V.Lakshmi Kanth Rao, appearing for respondent No.2.

2. The petitioners are before this Court calling in question the registration of crime in Crime No.84/2024 by Annapoorneshwari Nagar Police Station pending on the file of the IV Additional Chief Metropolitan Magistrate, Bengaluru.

3. The learned counsel for the parties would submit that the matter has been settled between them and have filed affidavit by the petitioners. The affidavit of petitioner No.1 reads as follows:

> "
>
> **AFFIDAVIT**
>
> I, Abbas N.K S/o Moosa, Aged about 49 years R/at Team-2 5th Floor, Samanvitha Complex, Mayur Street, Hebbal Bangalore-560094, hereby solemnly affirms and state on oath as follows:-

1. I state that, I am the petitioner No.1 in the above case, I know the facts and circumstances of the case, hence I am swearing to this affidavit.

2. I state that, I have filed the above case seeking quash the entire proceedings in Crime No.0084/2024 before the learned IV ACMM for the offences punishable under Section 406, 420, 506 R/w 34 of IPC.

3. I state that due to intervention of friends and well wishers, the dispute between me and the respondent No.2 is settled and entered compromise petition and filed the same before this Hon'ble High Court on 6.12.2024.

4. I state that, I agreed to the terms and conditions of the compromise petition. I have signed the compromise petition voluntarily.

5. I state that, since we have entered compromise petition the above case may kindly be pleased to close by quashing the Crime No.0084/2024 before the learned IV ACMM for the offences punishable under Section 406, 420, 506 R/w 34 of IPC in the interest of justice and equity.

What is stated above is true and correct

Identified by Me"

4. In the light of the settlement arrived at between the parties and the offences not being against the State, I deem it appropriate to accept the same and terminate the proceedings, *qua* the petitioners.

5. For the aforesaid reasons, the criminal petition is disposed. The proceedings in Crime No.84/2024 registered by Annapoorneshwari Nagar Police Station, pending on the file of

the IV Additional Chief Metropolitan Magistrate, Bengaluru, *qua* the petitioners, stand quashed.

Sd/-
(M.NAGAPRASANNA)
JUDGE

KG
List No.: 3 Sl No.: 12