NC: 2024:KHC:52379
CRL.P No. 13797 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. 13797 OF 2024

BETWEEN:

SRI RAHUL NARAYANA
S/O P.PREM PRASAD
AGED ABOUT 35 YEARS
R/O FLAT NO.207 'A' BLOCK
VISWA SAI RESIDENCY
SHESHADRI NAGAR, JAYARAM NAGAR
MADHAVI NAGAR, KARNOOL
ANDRA PRADESH – 518 002.

…PETITIONER

(BY SRI K.M.VENKATESHA MOUNI, ADVOCATE)

AND:

Digitally signed by NAGAVENI
Location: High Court of Karnataka

1. THE STATE OF KARNATAKA
   BY HEBBAGODI P.S.,
   BENGALURU CITY
   REPRESENTED BY SPP
   KARNATAKA HIGH COURT
   BENGALURU – 560 001.

2. SMT. KOTHA ANUSHA RAO
   D/O K.J.JAYARAMA RAO
   AGED ABOUT 30 YEARS
   R/O FLAT NO.470, 2ND FLOOR
   BLOCK C-7, KENDRIYA VIHAR

APARTMENTS, B.B.ROAD
KOGILU CROSS, YELAHANKA
BENGALURU – 560 099.

…RESPONDENTS

(BY SRI RANGASWAMY R., HCGP FOR R1;
SRI G.S.BALAGANGADHAR, ADVOCATE FOR R2)

THIS CRL.P IS FILED U/S 482 OF CR.P.C. (FILED U/S 528 BNSS) PRAYING TO QUASH THE FIR AND FINAL REPORT/ CHARGE SHEET REGISTERED BY THE RESPONDENT NO.1 POLICE IN C.C.NO.13599/2022 IN THEIR CR.NO.156/2022 FOR THE OFFENCES P/U/S 498A, 323, 504, 506 OF IPC PENDING ON THE FILE OF THE IV ADDL.CIVIL JUDGE AND J.M.F.C BENGALURU RURAL DISTRICT AT ANEKAL.

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

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

ORAL ORDER

The petitioner is before this Court calling in question the proceedings in C.C.No.13599 of 2022 registered for offences punishable under Sections 498A, 323, 504 and 506 of the IPC.

2. Heard the learned counsel Sri. Venkatesha Mouni K, appearing for the petitioner, Sri. Rangaswamy R, learned High Court Government Pleader appearing for the respondent No.1

and Sri. G. S. Balagangadhar, learned counsel appearing for respondent No.2.

3. Learned counsel for the petitioner and the 2nd respondent would submit that the parties to the *lis*, during the pendency of the proceedings, have resolved the dispute between the two and have drawn up certain terms of settlement. An application is filed in this regard before this Court under Section 320(2) of Cr.P.C., seeking to compound the offences along with a joint affidavit of the parties, which also recognizes closure of the present proceedings.

4. The application filed by the parties reads as follows:

"Full from point No.1.

> "1. That the above case is filed before the Trial Court for the offences punishable under Section 498A, 323, 504 and 506 of IPC.
>
> 2. Both the parties submit that at the instance of elders and well wishers they have settled all the disputes and they have withdrawn allegations made against each other in all the proceedings and they have obtained divorce and the Accused/Petitioner has paid permanent alimony of Rs.50,00,000/- to the 2nd Respondent/Complainant which she has received.

3. In view of the compromise, they don't want to continue the above proceedings and hence the Hon'ble Court may kindly permit them to compromise the above matter and to quash the entire proceedings before the Trial Court.

Wherefore the above named Petitioner/Accused and 2nd Respondent/Complainant humbly prays the Hon'ble Court to permit them to compound the case in CC. No. 13599/2022 pending before the learned IV Additional Civil Judge and JMFC Anekal, for the offences punishable under Section 498A, 323, 504 and 506 of IPC and to acquit the Petitioner/Accused of the offences levelled against them."

5. Since the offences punishable as afore-mentioned are not heinous and also are not against the State or the Society, I deem it appropriate to accept the application seeking compounding of the offence and obliterate the proceedings pending against the petitioner.

6. For the aforesaid reasons, the following:

ORDER

(i) The Criminal Petition stands disposed.

(ii) Impugned proceedings in C.C.No.13599 of 2022 pending on the file of the IV Additional Civil Judge and J.M.F.C., **Anekal* Bengaluru stand quashed.

** Inserted word vide court order dated 23.01.2025*

Consequently, I.A.No.1 of 2024 also stands disposed.

Sd/-
(M.NAGAPRASANNA)
JUDGE

BKP
List No.: 1 Sl No.: 97
CT:SS