NC: 2024:KHC:52692
CRL.P No. 14007 of 2024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 19TH DAY OF DECEMBER, 2024

BEFORE

THE HON'BLE MR JUSTICE M.NAGAPRASANNA

CRIMINAL PETITION NO. 14007 OF 2024

BETWEEN:

HUSSAINI @ AKUDU
S/O MOHAMED SALIM
AGED ABOUT 28 YEARS
R/AT SATHYAMANGALA ROAD
TUMKURU TOWN – 572 106.

…PETITIONER

(BY SRI VISHNUMURTHY, ADVOCATE)

AND:

1. STATE OF KARNATAKA
   BY TUMKUR TOWN P.S.,
   REPRESENTED BY SPP
   HIGH COURT BUILDING
   BENGALURU – 560 009.

2. MOHAMED NURULLA
   S/O LATE KALANDHAR SAB
   AGED ABOUT 42 YEARS
   RESIDING NEAR ROOPA SHAMIYANA
   PUTTASWAMAIAHANA PALYA SIRAGATE
   TUMKUR TOWN, TUMKURU – 572 106.

…RESPONDENTS

(BY SRI B.N.JAGADEESHA, ADDL. SPP FOR R1;
SRI MAHAMMADALI, ADVOCATE FOR R2)

Digitally signed by NAGAVENI
Location: HIGH COURT OF KARNATAKA

THIS CRL.P IS FILED U/S. 482 (FILED U/S.528 BNSS) CR.P.C PRAYING TO QUASH THE ENTIRE PROCEEDINGS AGAINST HIM IN C.C.NO.15/2024 FOR AN OFFENCE P/U/S/ 457 AND 380 OF IPC OF TUMAKURU TOWN P.S., WHICH IS PENDING ON THE FILE OF THE PRINCIPAL CIVIL JUDGE (Sr.Dn.) AND CJM COURT, TUMAKURU.

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

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

ORAL ORDER

The petitioner is calling in question the proceedings in C.C.No.15 of 2024 registered for offences punishable under Sections 457 and 380 of the IPC.

2. Heard Sri Vishnumurthy, learned counsel appearing for petitioner, Sri B N Jagadeesh, learned Additional State Public Prosecutor appearing for respondent No.1 and Sri Mahammadali, learned counsel appearing for respondent No.2.

3. During the pendency of the proceedings, the parties to the *lis* have settled the dispute amongst themselves and have filed a Joint Memo drawing up certain terms of settlement. The Joint Memo recognizes the closure of the present proceedings. The relevant paragraphs of the Joint Memo reads as follows:

> "…. …. ….
>
> 3. The petitioner further submits that during the pendency of the above case, both himself and respondent No.2 had compromised each other and as there was financial dispute between them, they had settled the matter amicably out of the court.
>
> 4. Both the parties humbly submit that they have entered in to compromise voluntarily and with free will and there is no coersion nor force for the same from any body.
>
> 5. The petitioner and the Respondent No.2 humbly submits that in view of the aforesaid settlement between the parties, the Respondent No.2 is not interested in continuing the case in C.C.No. 15/2024 which is pending against the above named petitioner.
>
> 6. The petitioner and respondent No.2 humbly submits that in view of the compromise and settlement between them the respondent No.2 herein has no objection to allow the above criminal petition filed by the petitioner by quashing the entire proceedings in C.C.No.15/2024, pending on the file of learned Principal Civil Judge (Sr. Dn) & CJM Court, Tumakuru. Hence this joint memo."

4. In view of the settlement arrived at between the parties as afore-quoted and the offences alleged not being against the State or Society, I deem it appropriate to accept the settlement and close the proceedings against the petitioner.

5. For the aforesaid reasons, the following:

ORDER

(i) Criminal Petition is disposed.

(ii) Proceedings in C.C.No.15 of 2024 (Crime No.478 of 2023) pending before the Principal Civil Judge (Sr.Dn.) & CJM, Tumakuru stand quashed, *qua* the petitioner.

Sd/-
(M.NAGAPRASANNA)
JUDGE

BKP
List No.: 2 Sl No.: 99
CT:SS