HC-KAR

CNR: KAHC010598032023

NC: 2026:KHC:60589
CRL.P No. 11913 of 2023
C/W CRL.P No. 13837 of 2023
CRL.P No. 146 of 2024
AND 3 OTHERS

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO.11913 OF 2023
C/W
CRIMINAL PETITION NO.13837 OF 2023,
CRIMINAL PETITION NO.146 OF 2024,
CRIMINAL PETITION NO.4676 OF 2024,
CRIMINAL PETITION NO.4704 OF 2024,
CRIMINAL PETITION NO.5426 OF 2024

IN CRL.P No. 11913/2023:

BETWEEN:

1. MR. AVINASH AGARWAL
S/O SRI MAHABIR AGARWAL
AGED ABOUT 41 YEARS
R/AT FLAT NO.161
TOWER 5, PEBBLE BAY APARTMENTS
DOLLARS COLONY NAGASHETTYHALLI
BANGALORE NORTH RMV EXTENSION
II STAGE BANGALORE - 560 094.

2. SRI MAHABIR PRASAD AGRAWALL
@ SRI AGARWAL M.P
S/O LATE KOSHORI LAL AGARWAL
AGED ABOUT 70 YEARS
R/AT H NO 26, PALM COUNTY
DARGAH HUSAIN SHAHWALI
ADJ SAFRANI SCHOOL
NEAR SHAIKPET
HYDERABAD - 500 008.

3. SRI KODURU SATHYANARAYAN
@ SRI SAYTANARAYANA REDDY
S/O K. MOHAN REDDY
AGED ABOUT 48 YEARS
R/AT NO.29B, EASTWOOD LAYOUT

Digitally signed by NANDINI D
Location: HIGH COURT OF KARNATAKA

HARALUR ROAD OFF SARJAPUR ROAD
BANGALORE - 560 102.

…PETITIONERS

(BY SRI KASHYAP N NAID, ADV.)

AND:

1. STATE OF KARNATAKA
REP. BY THE STATION HOUSE
OFFICER, MICO LAYOUT
POLICE STATION, 16TH RD
LAKSHMI LAYOUT, MCHS
COLONY, BTM 2ND STAGE
BTM LAYOUT, BENGALURU
KARNATAKA - 560 076
REP. BY STATE SN PUBLIC
PROSECUTOR, HIGH COURT OF
KARNATAKA AT BENGALURU.

2. M.K.K. DURANI
S/O M.S.H.K. DURANI
AGED ABOUT 62 YEARS
HAVING OFFICE AT
M/S N D DEVELOPERS PVT. LTD.
NO.25, BALAJI NILAYA
3RD MAIN 15TH CROSS
DOLLARS COLONY N S PALYA
BTM II STAGE, BENGALURU - 560 076.

…RESPONDENTS

(BY SRI RAHUL RAI K, HCGP FOR R-1;
SRI ABHINAY V, ADV., FOR R-2)

THIS CRL.P IS FILED U/S.482 CR.P.C PRAYING TO QUASH THE FIR IN CR.NO.444/2023 FOR THE OFFENCE P/U/S.406,420,120-B,504,504,34 OF IPC1870 PENDING ON THE FILE OF 3rd ACMM BENGALURU INITIATED BY THE RESPONDENT NO.1 POLICE (ANNEXXURE A) ON THE BASIS OF THE WRITTEN COMPLIANT OF THE RESPONDENT NO.2 (ANNEXURE B).

IN CRL.P NO. 13837/2023:

BETWEEN:

1. SRI M.K.K. DURANI
MANAGING DIRECTOR OF
N.D. DEVELOPERS PVT. LTD.,
S/O. M. S. H. K. DURANI
AGED ABOUT 62 YEARS.

2. SMT. AYESHA DURANI
W/O M.K.K. DURANI
DIRECTOR OF N.D.
DEVELOPERS PVT. LTD.,
AGED ABOUT 57 YEARS.

BOTH ARE R/AT NO.401
8TH MAIN, 8TH CROSS
MICO LAYOUT, BTM LAYOUT
NEW UDUPI GARDEN HOTEL
2ND STAGE, BANGALORE - 560 076.

...PETITIONERS

(BY SRI ABHINAY V, ADV.)

AND:

1. STATE OF VARTHUR POLICE STATION
VARTHUR, REPTD. BY SPP
HIGH COURT BUILDING
BANGALORE - 560 001.

2. M/S .MONDO BUILDERS PVT. LTD.,
"AROUND THE MANGOES"
SITE MANAGER - ANAND KULKARNI
GUNJUR VILLAGE, VARTHUR HOBLI
OPP TO SARJAPURA ROAD
BENGALURU - 560 087.

...RESPONDENTS

(BY SRI RAHUL RAI K, HCGP FOR R-1;
SRI KASYAP N NAIK, ADV., FOR R-2)

THIS CRL.P IS FILED U/S 482 CR.PC PRAYING TO QUASH THE ANNEXURE-A AND B FIR IN CR.NO.509/2023 REGISTERED BY VARATHUR POLICE AND COMPLAINT FILED BY THE RESPONDENT NO.2 PENDING IN THE A.C.J.M AT BENGALURU RURAL DISTRICT AT BENGALURU FOR AN ALLEGED OFFENCE P/U/S 427,506,341,504,149,448,323,327 OF IPC AGAINST THE PETITIONERS.

IN CRL.P NO. 146/2024:

BETWEEN:

SRI NANJESH GOWDA K
S/O KAPANEGOWDA
AGED ABOUT 43 YEARS
HULUVENAHALLI
NEXT TO HP PETROL BUNK
TAVAREKERE HOBLI
CHUNCHANAKUPPE
BANGALORE - 562 130.

...PETITIONER

(BY SRI ABHINAY V, ADV.,)

AND:

1. STATE OF VARTHUR POLICE STATION
   VARTHUR, REPTD BY SPP
   HIGH COURT BUILDING
   BANGALORE - 560 09.

2. M/S MONDO BUILDERS PVT LTD
   ARIOUND THE MANGOES
   SITE MANAGER ANAND KULKARNI
   GUNJUR VILLAGE, VARTHUR HOBLI
   OPP TO SARJAPURA ROAD
   BENGALURU - 560 087.

...RESPONDENTS

(BY SRI RAHUL RAI K, HCGP FOR R-1;
SRI KASHYAP N NAIK, ADV., FOR R-2)

THIS CRL.P IS FILED U/S 482 CR.PC PRAYING TO QUASH THE ANNEXURE-A AND B - FIR IN CR.NO.509/2023 REGISTERED BY THE RESPONDENT NO.1 - VARTHUR POLICE AND COMPLAINT

FILED BY THE RESPONDENT NO.2 - PENDING IN THE ACJM - BANGALORE RURAL DISTRICT AT BANGALORE FOR AN ALLEGED OFFENCE P/U/S 427, 506, 341, 504, 149, 448, 323, 327 OF IPC AGAINST THE PETITIONER.

IN CRL.P NO. 4676/2024:

BETWEEN:

1. SRI ZEESHAN DURANI @ MOHAMMED
   ZEESHAN KHAN DURANI
   S/O M.K.K. DURANI
   AGED ABOUT 32 YEARS
   R./AT NO.401, 8TH MAIN
   8TH CROSS, NEAR UNION BANK
   BTM 2ND STAGE
   BANGALORE - 560 076.

2. SRI SRINIVAS ALIS SHEENAPPA H
   S/O HANUMANTHAPPA
   AGED ABOUT 36 YEARS
   R/AT MARAMMANA BANDE TEMPLE ROAD
   MEDIGESHI, TUMKURU - 572 123
   AT ALSO WORKING AT NO.25
   BALAJI NILAYA, 3RD MAIN
   5TH CROSS, DOLLERS COLONY
   N.S. PALYA, BTM 2ND STAGE
   BANGALORE - 560 076.

3. SRI VENKATESHBABU @ R.B. VENKATESHBABU
   S/O R.S. BHADRINATH
   AGED ABOUT 56 YEARS
   RA/T 383, ANJANDRI 1ST A MIN
   14TH CROSS, IDEAL HOME TOWNSHIP
   1ST PHASE R.R. NAGAR
   BANGALORE - 560 098
   AT ALSO WORKING AT NO.25
   BALAJI NILYA, 3RD MAIN
   5THC ROSS, DOLLERS COLONY
   N S PALYA, BTM 2ND STAGE
   BANGLAORE - 560 076.

4. SRI SRIKANTH ALIS SRIKANTH V.A
S/O AMBADAS
AGED ABOUT 44 YEARS
R/AT NO.686, 9THC ROSS
HOSA ROAD, CHENANKESHVANA NAGAR
NEW CENTRAL JAI ROAD
SINGASANDRA
BANGALORE - 560 068
ALSO WORKING AT
NO.25, BALAJI NILAYA
3RD MAIN, 5TH CROSS
DOLLERS COLONY, N.S. PALYA
BTM 2ND STAGE
BANGALORE - 560 076.

...PETITIONERS

(BY SRI ABHINAY V, ADV.,)

AND:

1. STATE OF VARTHUR POLICE STATION
VARTHUR REPTED BY SPP
HIGH COURT BUILDING
BANGALORE - 560 09.

2. M/S MONDO BUILDERS PVT LTD
AROUND THE MANGOES
SITE MANGER ANAND KULKARNI
GUNJUR VILALGE, VARTHUR HOBLI
OPP TO SARJAPURA ROAD
BENGALURU - 560 087.

...RESPONDENTS

(BY SRI RAHUL RAI K, HCGP FOR R-1;
SRI HARSHA SHIVAKUMAR, ADV., FOR R-2)

THIS CRL.P IS FILED U/S 482 CR.PC PRAYING TO QUASH THE ANNEXURE-A AND B - FIR IN CR.NO.509/2023 REGISTERED BY THE RESPONDENT NO.1 - VARTHUR POLICE AND COMPLAIN FILED BY THE RESPONDENT NO.2 PENDING ON THE FILE ACJM - BANGALORE RURAL DISTRICT AT BANGALORE FOR AN ALLEGED OFFENCE P/U/S 427, 506, 341, 504, 149, 448, 323, 327 OF IPC AGAINST THE PETITIONERS.

IN CRL.P NO. 4704/2024:

BETWEEN:

1. SRI M.K.K. DURANI
   MANAGING DIRECTOR OF
   N.D. DEVELOPERS PVT LTD
   S/O M.S.H.K DURANI
   AGED ABOUT 61 YEARS.
2. SMT AYESHA DURANI
   W/O M K K DURANI
   DIRECTOR OF N D DEVELOPERS PVT LTD
   AGED ABOUT 57 YEARS.

3. SRI ZEESHAN KHAN
   S/O M.K.K DURANI
   AGED ABOUT 30 YEARS.

   ALL ARE R/AT 401, 8TH MAIN
   8TH CROSS, MICO LAYOUT
   BTM LAYOUT, 2ND STAGE
   BANGALORE - 560 076.

...PETITIONERS

(BY SRI ABHINAY V, ADV.)

AND:

1. STATE OF SHIVAJINAGAR POLICE STATION
   SHIVAJINAGAR
   BANGALORE - 560 051
   REPTD BY SPP
   HIGH COURT BUILDING
   BANGALORE-560 001.

2. M/S MONDO BUILDERS PVT LTD
   REPTD BY AVINASH AGGARWAL
   AUTHORIZED SIGNATORY
   GPR TOWERS, NO.6
   PARK ROAD, TASKER TOWN
   SHIVAJINAGAR, BANGALORE - 560 051.

...RESPONDENTS

(BY SRI KASHYAP N NAIK, ADV., FOR R-2)

THIS CRL.P IS FILED U/S.482 CR.P.C PRAYING TO QUASH THE ANNEXURE-A AND B - FIR IN CR.NO.92/2022 REGISTERED BY THE SHIVAJINAGAR POLICE STATION AND COMPLAINT FILED BY THE RESPONDENT NO.2 PENDING ON THE FILE OF XXIX ACMM MAYOHALL, BENGALURU, FOR THE OFFENCE P/U/S 120-B, 420, 506 R/W 34 OF IPC 1860 AS AGAINST THE PETITIONERS.

IN CRL.P NO. 5426/2024:

BETWEEN:

1. SRI M.K.K. DURANI
   MANAGING DIRECTOR OF
   N.D. DEVELOPERS PVT LTD
   S/O M.S.H.K. DURANI
   AGED ABOUT 61 YEARS.

2. SMT. AYESHA DURANI
   W/O M.K.K. DURANI
   DIRECTOR OF N D DEVELOPERS PVT LTD,
   AGED ABOUT 57 YEARS.

   BOTH ARE R/AT 398, 1ST FLOOR
   7TH CROSS, MICO LAYOUT
   BTM LAYOUT, 2ND STAGE
   BANGALORE - 560 076.

...PETITIONERS

(BY SRI ABHINAY V, ADV.,)

AND:

1. STATE OF SHIVAJINAGAR POLICE STATION
   SHIVAJINAGAR
   BANGALORE - 560 051
   REPTD BY SPP, HIGH COURT BUILDING
   BANGALORE - 560 09.

2. M/S MONDO BUILDERS PVT LTD
   REPTD BY AVINASH AGGARWAL
   AUTHORIZED SIGNATORY
   S/O MAHABEER AGARWALL
   AGED ABOUT 41 YEARS

GPR TOWERS NO.6
PARK ROAD, TASKER TOWN
SHIVAJINAGAR
BANGALORE - 560 051.

...RESPONDENTS

(BY SRI RAHUL RAI K, HCGP FOR R-1;
SMT. JYOTHI KULKARNI, ADV., R-2)

THIS CRL.P IS FILED U/S.482 CR.P.C PRAYING TO QUASH THE ANNEXURE-A AND B - FIR IN CR.NO.116/2023 AND COMPLAINT FILED BY THE RESPONDENT NO.1, SHIVAJINAGARA P.S., PENDING ON THE FILE OF IV ADDL.C.M.M., NRUPATHUNGA ROAD, BENGALURU FOR AN ALLEGED OFFENCE P/U/S 406, 420, 120(b) OF IPC AGAINST THE PETITIONERS.

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

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

1. The above captioned petitions arise out Crime Nos.444/2023, 509/2023, 92/2022 & 116/2023 registered before different police stations between the same parties.

2. Learned Counsels appearing for the contesting parties in these petitions, jointly submit that the dispute between the parties has been amicably settled and settlement was reported before this Court in Commercial Appeal No.164/2024, wherein it was agreed for settling even the criminal cases registered between the parties which are impugned in these petitions.

They submit that parties to these petitions are all present before the court in person.

3. The aforesaid submissions are placed on record.

4. Parties who are present before the Court are identified by their respective learned Counsel. It is submitted by the parties present before the Court that the settlement arrived is voluntary, without there being any undue influence and coercion. A joint memo is today filed by the parties which is signed by their respective advocates and also by the parties, along with the copy of the judgment passed by the Division Bench of this Court in Commercial Appeal No.164/2024 disposed of on 16.10.2026 based on the settlement reported by the parties.

5. FIRs have been registered in the present cases for the offences which are compoundable in nature. Considering the fact that the dispute between the parties has been already settled and they have decided to give a quietus to the criminal cases registered between them which are impugned in these petitions, I am of the opinion that the prayer made in these

petitions for quashing the impugned criminal proceedings as against the petitioners herein needs to be granted. Accordingly, the following:

ORDER

a) Criminal Petitions are allowed.

b) The entire proceedings in Crime No.444/2023 registered by Mico Layout Police Station, Bengaluru, for the offences punishable under Sections 406, 420, 120B, 504, 504, 34 IPC, stands quashed as against the petitioners in Crl.P.No.11913/2023.

c) The entire proceedings in Crime No.509/2023 registered by Varthur Police Station, Bengaluru, for the offences punishable under Sections 427, 506, 341, 504, 149, 448, 323, 327 IPC, stands quashed as against the petitioners in Crl.P.No.13837/2023, Crl.P.No.146/2024 & Crl.P.No.4676/2024.

d) The entire proceedings in Crime No.92/2022 registered by Shivajinagar Police Station, Bengaluru, for the offences punishable under Sections 120B, 420, 506 read with 34 IPC,

stands quashed as against the petitioners in Crl.P.No.4704/2024.

e) The entire proceedings in Crime No.116/2023 registered by Shivajinagar Police Station, Bengaluru, for the offences punishable under Sections 406, 420, 120B IPC, stands quashed as against the petitioners in Crl.P.No.5426/2024.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE

KK