HC-KAR
NC: 2026:KHC:60388
CRL.P No. 1320 of 2020
CNR: KAHC010045892020

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE H.P.SANDESH

CRIMINAL PETITION NO.1320 OF 2020

BETWEEN:

1. ABHRAHAM MATHEW @ ABHAY
S/O MATHEW ABHRAHM
AGED ABOUT 51 YEARS
R/O KALISERE HOUSE
T.B.ROAD, KOTTAYAM
KERALA STATE - 686 001.

2. MATHEW ABHRHAM @ KUNJU
S/O LATE ABHRAHAM
AGED ABOUT 79 YEARS
R/O KALISERE HOUSE
T.B.ROAD, KOTTAYAM
KERALA STATE - 686 001.

3. OMNA MATHEW
W/O MATHEW ABHRAHAM
AGED ABOUT 74 YEARS
R/O KALISERE HOUSE
T.B.ROAD, KOTTAYAM
KERALA STATE - 686 001.

...PETITIONERS

(BY SRI. RUPESH KUMAR S., ADVOCATE)

AND:

1. STATE OF KARNATAKA
BY STATION HOUSE OFFICER
MAHILA POLICE STATION

Digitally signed by DEVIKA M
Location: HIGH COURT OF KARNATAKA

MYSURU CITY - 560 001
REPRESENTED BY THE LEARNED
STATE PUBLIC PROSECUTOR
HIGH COURT BUILDING
BENGALURU-560 001.

2. SMT. ROOPA RAJANNA
W/O ABHRAM MATHEW @ ABHAY
AGED ABOUT 51 YEARS
R/AT NO.33
CHAITHRA APARTMENT
S.V.ROAD, YADAVAGIRI
MYSURU - 570 020.

…RESPONDENTS

(BY SRI. SUHAS GOWDA M., HCGP FOR R1;
SRI. C. RAJANNA, ADVOCATE FOR R2 [ABSENT])

THIS CRIMINAL PETITION IS FILED UNDER SECTION 482 OF CR.P.C. PRAYING TO QUASH THE PROCEEDINGS PENDING IN C.C.NO.327/2012 BEFORE THE IV A.C.J.M. AND J.M.F.C., MYSURU FOR THE OFFENCES PUNISHABLE UNDER SECTIONS 498(A), 504 AND 506 R/W SECTION 34 OF IPC AND SECTIONS 3 AND 4 OF DOWRY PROHIBITION ACT AS PER ANNEXURE-A.

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

CORAM: HON'BLE MR. JUSTICE H.P.SANDESH

ORAL ORDER

Heard learned counsel for the petitioners and the learned High Court Government Pleader for respondent No.1. Learned counsel for respondent No.2 is absent.

2. The prayer is sought for quashing the proceedings initiated against the petitioners in C.C.No.327/2012 for the offence punishable under Sections 498A, 504 and 506 read with Section 34 of IPC and Sections 3 and 4 of Dowry Prohibition Act, 1961.

3. The counsel appearing for the petitioners would submit that petitioner Nos.2 and 3 are no more and they are in-laws of the complainant and the consideration of this petition is only in respect of petitioner No.1/accused No.1 i.e., the husband. The counsel brought to notice of this Court that the dispute between the parties is settled before the Revisional Court in Crl.R.P.No.296/2014 and brought to notice of this Court Annexure-G, wherein an order is passed based on the settlement arrived between the parties vide order dated 03.12.2016 and also produced the certified copy of Annexure-H and brought to notice of this Court paragraph No.8 i.e. joint memo filed by both the parties i.e., petitioner No.1 and also respondent No.2-complainant and paragraph No.8 is very clear that consequent upon this joint memo, the parties agreed to withdraw all the civil and criminal proceedings pending or in the

event so required for personal appearance before the respective High Courts for quashing of the proceedings, the same shall also be assisted upon mutual agreement and time and date on which the parties shall without any condition laid and conclude the matter, wherein also details are given i.e., C.C.No.327/2012 pending before Fourth Judicial Magistrate First Class and ACJ at Mysuru. The revision was arising out of PCR, wherein Sections 420, 494, 498A read with Section 34 of IPC was invoked.

4. This petition is before this Court in respect of C.C.No.327/2012 and having taken note of settlement arrived between the parties and also when the same was accepted by the Revisional Court, there cannot be any criminal prosecution against the petitioners. Apart from that, petitioner Nos.2 and 3 are no more and the same is abated and this petition is for consideration only in respect of petitioner No.1, who is the husband and when both the husband as well as the wife have settled the matter in Crl.R.P.296/2014, wherein this proceedings is also included in the join memo filed by the

parties as per Annexure-H, it is a fit case to exercise the power under Section 482 of Cr.P.C.

5. In view of the discussion made above, I pass the following:

ORDER

(i) The criminal petition is ***allowed.***

(ii) The proceedings initiated against the petitioner No.1 in C.C.No.327/2012 for the offence punishable under Sections 498A, 504 and 506 read with Section 34 of IPC and Sections 3 and 4 of Dowry Prohibition Act, 1961, is hereby quashed.

Sd/-
(H.P.SANDESH)
JUDGE

ST
List No.: 1 Sl No.: 21