HC-KAR

CNR: KAHC010055382024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 4TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE RAJESH RAI K

CRIMINAL PETITION NO. 1004 OF 2024

BETWEEN:

1. ABDUL WAHAB
AGED ABOUT 65 YEARS,
S/O ABDUL SATTAR
R/AT RAHAMATHUNNISA MANZIL,
#70/2, 3RD MAIN, 3RD CROSS,
ISLAMPURA, HAL POST, VIMANAPURA
BANGALORE - 560 017

2. SYED ATIF
AGED ABOUT 42 YEARS,
S/O ABDUL WAHAB
R/AT RAHAMATHUNNISA MANZIL,
#70/2, 3RD MAIN, 3RD CROSS,
ISLAMPURA, HAL POST, VIMANAPURA
BANGALORE - 560 017

Digitally signed by PANKAJA S
Location: HIGH COURT OF KARNATAKA

3. SMT SHAHEENA
AGED ABOUT 47 YEARS,
W/O ABDUL JAFFAR
#191, 3RD MAIN, 3RD CROSS,
ISLAMPURA, HAL POS , VIMANAPURA
BANGALORE - 560 017

4. SMT. WAJIHA BANU
AGED ABOUT 38 YEARS
W/O MOHAMMED SHARIFF R
R/AT 41/42, 17TH MAIN,
VINAYAKANAGAR, J.P NAGAR,

5TH PHASE
BANGALORE - 560078

…PETITIONERS

(BY SMT. NAGAMANI V, ADVOCATE)

AND:

1. STATE OF KARNATAKA BY
H.A.L POLICE STATION
BANGALORE
REPRESENTED BY SPP
HIGH COURT OF KARNATAKA
BANGALORE - 560 001

2. SMT SULTANA R
AGED ABOUT 28 YEARS,
D/O SYED RAFI,
R/AT NO.1, KALEEM BUILDING
2ND CROSS, LBS NAGAR, HAL POST
BANGALORE - 560 097

…RESPONDENTS

(BY SRI. JAVEED S, HCGP FOR R1,
SRI. MOHD. USMAN SHAIKH, ADVOCATE FOR R2)

THIS CRL.P IS FILED U/S.482 OF CR.P.C PRAYING TO SET ASIDE THE ORDER DATED 05.12.2022 AND 06.12.2022 TO TAKE COGNIZANCE AND QUASH ENTIRE PROCEEDINGS IN C.C.NO.58671/2022 (CR.NO.294/2021 OF HAL POLICE), PENDING ON THE FILE OF THE 29TH ACMM MAYOHALL AT BENGALURU FOR THE OFFENCEP/US.498-A,323,504,506 R/W SEC.149 OF IPC AND SEC.3,4 OF DP ACT 1961.

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

CORAM: HON'BLE MR. JUSTICE RAJESH RAI K

ORAL ORDER

Learned counsel for the petitioners and learned counsel for respondent No.2 jointly filed an application under Section 359 of BNSS r/w Section 528 of BNSS and jointly submit that parties have amicably settled their dispute with the intervention of well wishers and elders. As such, they prays to allow the parties to compound the offences and to quash the proceedings initiated against the petitioners on the basis of the complaint lodged by respondent No.2.

2. The application is accompanied with the joint affidavit of the parties. It is stated in the affidavit, the petitioners and respondent No.2 have amicably settled their dispute before the Karnataka Mediation Centre in O.S.No.519/2026. The learned counsel for the petitioners produced the memorandum of settlement arrived between the parties along with the order sheet in O.S No.519/2026. As such, the learned counsel for the parties jointly submits that proceedings initiated by the respondent No.2 against the petitioners be quashed.

3. Placing reliance on their submission and the memorandum of settlement, I am of the view that the

continuation of the proceedings against the petitioners is nothing but abuse of the process of Court. Admittedly, the offences alleged against the petitioners are non-compoundable in nature. However, having regard to the fact that the dispute between the parties is purely private and matrimonial in nature, and in view of the principles laid down by the Hon'ble Apex Court in ***GIAN SINGH V. STATE OF PUNJAB AND ANOTHER,*** reported in ***(2012) 10 SCC 303***, I am of the considered opinion that the settlement arrived at between the parties can be taken into consideration.

4. Accordingly, the application filed under Section 359 of BNSS r/w Section 528 of BNSS is allowed. The petitioners and respondent No.2 are permitted to compound the offences.

5. Consequently, the petition is ***disposed of*** in terms of settlement. The proceedings against the petitioners/accused Nos.2, 4 to 5 in C.C.No.58671/2022 (arising out of Crime No.294/2021 registered by H.A.L. Police Station) for the offences punishable under Sections 498A, 323, 504, 506 r/w Section 149 of IPC and Sections 3 and 4 of Dowry Prohibition

Act, 1961, presently, pending on the file of XXIX ACMM, Bengaluru is hereby quashed.

SD/-
(RAJESH RAI K)
JUDGE

CR
List No.: 1 Sl No.: 28