HC-KAR
NC: 2026:KHC:64939
CRL.P No. 1119 of 2022
CNR: KAHC010059932022

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 21ST DAY OF NOVEMBER, 2026

BEFORE

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

CRIMINAL PETITION NO.1119 OF 2022

BETWEEN:

1. SRI. N.V. ASWATHNARAYANA REDDY,
AGED ABOUT 67 YEARS,
S/O SRI. N.VENKATA REDDY,
R/AT "SWATHI NILAYA",
P.C. LAYOUT, KOLAR.

2. SMT. K.V. SHOBHA,
AGED ABOUT 53 YEARS,
W/O SRI. N.V.ASWATHANARAYANA REDDY,
R/AT "SWATHI NILAYA",
P.C. LAYOUT, KOLAR.

3. SRI. A. KARTHIK,
AGED ABOUT 37 YEARS,
S/O SRI. N.V.ASWATHANARAYANA REDDY,
R/AT "SWATHI NILAYA",
P.C. LAYOUT, KOLAR.

...PETITIONERS

(BY SRI. VENKATA REDDY C.M., ADVOCATE)

Digitally signed by DEVIKA M
Location: HIGH COURT OF KARNATAKA

AND:

1. STATE OF KARNATAKA,
BY THE STATION HOUSE OFFICER,
WHITEFIELD POLICE STATION, BENGALURU CITY,
REPRESENTED BY THE STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
BENGALURU-560 001.

2. SRI. H.K. NARAYANASWAMY,
AGED ABOUT 63 YEARS,
S/O LATE KASHIYAPPA,
R/AT "JEEVANTH NILAYA"
HAGADUR, WHITEFIELD POST,
BENGALURU-560068.

…RESPONDENTS

(BY SRI. M. DIVAKAR MADDUR, HCGP FOR R1;
SRI. N. KUMAR, ADVOCATE FOR R2)

THIS CRIMINAL PETITION IS FILED UNDER SECTION 482 OF CR.P.C PRAYING TO SET ASIDE THE ORDER DATED 31.10.2019 AND QUASH THE PROCEEDINGS IN C.C.NO.11888/2019 FOR OFFENCES PUNISHABLE UNDER SECTIONS 417 AND 420 OF IPC, PRESENTLY PENDING ON THE FILE OF THE 2ND ADDL. CHIEF JUDICIAL MAGISTRATE, BENGALURU RURAL DISTRICT, BENGALURU.

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

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

ORAL ORDER

The learned counsel for the petitioners submits that private complaint was filed before the Trial Court and the matter was referred for investigation. Based on the reference made by the Court, Crime No.369/2014 was registered. The matter between the husband and wife was settled in M.C.No.59/2016 in view of the matter was referred for mediation and copy of the settlement order is also produced

before the Court. The learned counsel brought to the notice of this Court, the settlement arrived between the husband and wife wherein in condition No.8, specific averment is made that the petitioner has agreed to take steps for closure of Crl.P.No.405/15 pending on the file of the Hon'ble High Court of Karnataka, Bangalore for quashing of Crime No.369/2014 in PCR No.354/2014 filed by the petitioner. The same was withdrawn in view of the settlement arrived between the parties. But in terms of the settlement between the parties on 30.01.2017, when the complainant did not pursue Crime No.369/2014 in withdrawing the same, the petitioners were forced to file this petition.

2. Having taken note of the settlement arrived between the parties, even though the complainant is represented through counsel, the counsel is not before this Court. The condition No.8 of the settlement is very clear that the petitioner agreed to take steps for closure of Crime No.369/2014 and this petition is also arised out of Crime No.369/2014 in PCR No.354/2014. Hence, the police have investigated the matter and filed the charge-sheet and the

same is also numbered as C.C.No.11888/2019 wherein the offence under Sections 417 and 420 of IPC are invoked against the petitioners. Hence, it is a fit case to exercise the power under Section 482 of Cr.P.C.

3. In view of the discussions made above, I pass the following:

ORDER

The petition is allowed and the proceedings initiated against the petitioners/accused Nos.1 to 3 in C.C.No.11888/2019 is quashed.

Sd/-
(H.P.SANDESH)
JUDGE

MD
List No.: 1 Sl No.: 26