HC-KAR

NC: 2026:KHC:20899
CRL.RP No. 530 of 2022

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 16TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE V SRISHANANDA

CRIMINAL REVISION PETITION NO. 530 OF 2022

BETWEEN:

SMT. K. SOWMYA
W/O H.M. RAJKUMAR
AGED ABOUT 41 YEARS,
R/AT NO. 134/1, 1ST FLOOR
"KAMADENU", 2ND CROSS
CHIKKATOGUR GATE,
ELECTRONIC CITY POST,
BENGALURU - 560 100.

...PETITIONER

(BY SRI. YADUNANDAN N, ADVOCATE FOR
SRI. MANJUNATHA M.V, ADVOCATE)

AND:

SRI. H.M. RAJKUMAR
S/O LATE MAREGOWDA
AGED ABOUT 52 YEARS
R/AT NO. 37, NEAR VIDHANA SOUDHA
LAYOUT, 11TH CROSS, PAPAREDDY PALYA
BENGALURU - 560 072.

...RESPONDENT

(BY SRI. MANJUNATH S, ADVOCATE)

Digitally signed by R MANJUNATHA
Location: HIGH COURT OF KARNATAKA

THIS CRL.RP IS FILED U/S.397 R/W 401 OF CR.P.C PRAYING TO a) SET ASIDE THE IMPUGNED JUDGMENT DATED 19.07.2021 PASSED IN CRL.A.NO.1412/2018 ON THE FILE OF THE LXV ADDL.CITY CIVIL AND SESSIONS JUDGE, BENGALURU CITY, IN ANNEXURE-A.

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

CORAM: HON'BLE MR. JUSTICE V SRISHANANDA

ORAL ORDER

1. Heard Sri.Yadunandan N., learned counsel appearing on behalf of Sri.Manjunatha M. V., learned counsel for the revision petitioner and Sri.Manjunath S., learned High Court Government Pleader for the respondent.

2. Present revision petition is filed by the wife under Section 397 of Cr.P.C. seeking for modification of the order passed by the learned Trial Magistrate in Crl.Misc.No.144/2013 confirmed in Crl.A.No.1402/2018 connected with Crl.A.No.1412/2018.

3. Facts in the nutshell which are utmost necessary for disposal of the present petition are as under:

3.1. Petitioner is the legally wife of the respondent their matrimonial relationship was not happy after the birth of two children and on account of the domestic violence, petitioner approached the jurisdictional Magistrate under Section 12 of the Protection of Women from Domestic Violence Act, 2005.

3.2. Respondent was notified and matter was contested and by considered judgment dated 30.06.2018, petition was allowed in part as under:

> *"The petition filed by the petitioner under Section 12 of the Protection of Women from Domestic Violence Act, 2005 is allowed in part.*
>
> *The protection order under Section 18 of Act is hereby rejected.*
>
> *The residence order under Section 19 of Act is also rejected.*
>
> *Further, the respondent is directed to pay to the petitioner Rs.6,00,000/- as compensation.*
>
> *The claim of maintenance for the petitioner is hereby rejected.*
>
> *No order as to costs."*

4. Being aggrieved by the said order, husband filed an appeal before the First Appellate Court in Crl.A.No.1402/2018 and wife also filed an appeal in Crl.A.No.1412/2018 seeking enhancement of the compensation.

5. Learned Judge in the First Appellate Court after securing the records, heard the arguments of the parties in

detail and on reappreciation of the material evidence on record, dismissed both the appeals.

6. Being further aggrieved by the same, wife is before this Court.

7. Learned counsel for the revision petitioner reiterating the grounds urged in the revision petition would contend that amount of compensation awarded by the learned Trial Magistrate is on the lower side and therefore, sought or allowing the revision petition.

8. Per contra, learned counsel for the respondent supports the impugned order as admittedly husband has not challenged the order passed by the First Appellate Court confirming the order passed by the learned Trial Magistrate.

9. It is also submitted by the advocates for the parties that Divorce petition filed by the husband against the wife alleging the cruelty is reserved for orders.

10. Taking note of these aspects of the matter and material evidence placed on record and income of the husband which has been rightly considered by both the Courts, this

Court does not find any good grounds to enhance the compensation further.

11. However, it is always open for the wife to seek for permanent alimony in the pending divorce proceedings.

12. With that liberty, revision petition stands ***dismissed***.

Sd/-
(V SRISHANANDA)
JUDGE

KAV
List No.: 2 Sl No.: 23