IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 16TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.NAGAPRASANNA

CRIMINAL PETITION NO. 3953 OF 2026

(482(Cr.PC) / 528(BNSS))

BETWEEN:

SRI. MAHANTHESH A S,
S/O A. SHIVANNA,
AGE: 33 YEARS,
PERMANENT RESIDENT OF
MINNEKOTE VILLAGE,
TALAKU HOBLI,
CHALLAKERE TALUK,
CHITRADURGA DISTRICT- 577 543.

PRESENTLY RESIDING AT
NO. 26, 2ND MAIN ROAD,
GANGANAGAR EXTENSION,
R.T NAGAR, BENGALURU – 560 032.

Digitally signed by SANJEEVINI J KARISHETTY
Location: High Court of Karnataka

...PETITIONER

(BY SRI. RAJATH S, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
BY CITY MARKET POLICE STATION,
REPRESENTED BY
STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
DR. B.R. AMBEDKAR ROAD,
BANGALORE – 560 001.

2. T.C. GOWRAMMA,
VEERASHAIVA FREE BOARDING
HOME TRUST,
NO. 192, OTC ROAD,
CHICKPET,
BENGALURU – 560 053.
BY ITS SECRETARY
SRI. DEVARAJU S,
S/O. SADASHIVAIAH,
AGE: 43 YEARRS.

…RESPONDENTS

(BY SRI. ANOOP KUMAR, HCGP FOR R1;
SRI. VEERESH UPPIN, ADVOCATE FOR R2)

THIS CRL.P IS FILED U/S 482 CR.PC (FILED U/S 528 BNSS) PRAYING TO QUASH THE PROCEEDINGS AGAINST THE PETITIONER IN C.C.NO.21205/2025 PENDING ON THE FILE OF THE IV ADDITIONAL CHIEF JUDICIAL METROPOLITAN MAGISTRATE COURT, AT BENGALURU FOR THE OFFENCE P/U/S 408, 420, 465, 468, 471 AND 477A OF IPC CONSEQUENTLY QUASH THE FIR IN CR.NO.58/2024 REGISTERED BY THE CITY MARKET POLICE, BENGALURU AND ETC.,

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

CORAM: **HON'BLE MR. JUSTICE M.NAGAPRASANNA**

ORAL ORDER

The petitioner is before this Court calling in question the proceedings in C.C.No.21205/2025 registered for the offences punishable under Sections 408, 420, 465, 468, 471, 477A of the Indian Penal Code.

2. Heard Sri. Rajath S, learned counsel appearing for the petitioner, Sri. Anoop Kumar, learned HCGP appearing for respondent No.1, Sri.Veeresh Uppin, learned counsel appearing for respondent No.2 and have perused the material on record.

3. During the subsistence of the proceedings, the parties to the *lis* have entered into a settlement and have filed a Joint Memo with affidavits of the petitioner, 2nd respondent, brother of the petitioner and his parents. The Joint Memo filed by the parties to the *lis* reads as follows:

> "1. The above criminal petition is filed for quashing the proceedings against the Petitioner in CC No. 21205/2025 pending on the file of the learned IV Add. Chief Judicial Metro Politian Magistrate Court, Bangalore for the offences punishable under section 408, 420, 465, 468, 471, and 477A of the IPC consequently quash the FIR in

Crime No. 58/2024 registered by the City Market Police, Bengaluru and the Charge sheet filed against the Petitioner for the said offences.

2. The petitioner and the Respondent No.2 on the intervention of family members of the petitioner have settled the above matter. Respondent No.2 has no objection to allow the above Criminal Petition, by recording the following terms of the settlement:-

a. Out of Rs. 1,06,41,096/- misappropriated by the petitioner, the petitioner through his brother Sri. Siddesh paid 60,00,000/- by RTGS to 2nd Respondent Trust. The Petitioner shall pay remaining amount of Rs.46,41,096 to the second Respondent within Three years from 11-10-2025.

b. The petitioner issued a post dated cheque for a sum of Rs. 46,41,096/- drawn on ICICI Bank, Indiranagar Branch, Bengaluru to the second Respondent and in the event the petitioner failed to pay the above said amount, the respondent No.2 is at liberty to present the said cheque for collection and file complaint under Negotiable Instruments Act for the dishonour of the cheque.

c. The second respondent is also at liberty to seek specific performance of the "Agreement of Sale" dt: 11-10-2025 executed by petitioner, his brother and his parents in respect of the agricultural land bearing Sy. No. 23/7, measuring 4 Acres 26 Guntas situated at Henjemuthenahalli Village, Talaku Hobli, Challakere Taluk, Chitradurga District standing in the name of mother of the petitioner in the event the petitioner is not able to pay the amount within the stipulated time.

d. In the event the petitioner violates the terms of this agreement, and the petitioner, his brother and parents refused to honour the agreement of sale dt: 11-10-2025, the 2nd Respondent, in addition to seeking enforcement of the Agreement of Sale is also at liberty to

initiate contempt of court against the petitioner, his brother and parents for the violation of the solemn undertaking given before this Hon'ble Court and further 2nd Respondent is also at liberty to seek the revival of the complaint in question from the stage of filing of charge sheet.

Wherefore the Hon'ble Court by taking into consideration this memo, the affidavit filed by the petitioner, his brother and parents, and the 2nd Respondent, be pleased to allow the above criminal petition and to quash the proceedings in CC No. 21205/2025 pending on the file of the learned IV Add. Chief Judicial Metro Politian Magistrate Court, Bangalore for the offences punishable under section 408, 420, 465, 468, 471, and 477A of the IPC."

4. The parties to the *lis* are present before this Court and are identified by their respective counsels.

5. In the light of the Joint Memo being filed by the parties to the *lis* and the offences not being against the State, I deem it appropriate to accept the Joint Memo and close the proceedings against the petitioner.

6. For the aforesaid reasons, the following:

O R D E R

[I] Criminal Petition is ***disposed***.

[II] Proceedings in C.C.No.21205/2025 pending before the IV A.C.J.M Court at Bengaluru, *qua* the petitioner, stand quashed.

Sd/-
(M.NAGAPRASANNA)
JUDGE

CBC
List No.: 4 Sl No.: 13