HC-KAR
CNR: KAHC010188472025

NC: 2026:KHC:60872
WP No. 8021 of 2025
C/W WP No. 5995 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 2ND DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

WRIT PETITION NO. 8021 OF 2025 (GM-RES)
C/W
WRIT PETITION NO. 5995 OF 2025 (GM-RES)

IN WP No. 8021/2025

BETWEEN:

SRI. MANJUNATH
S/O SEETHARAMAIAH,
AGED ABOUT 31 YEARS,
BUSINESS OFFICER AT FIVE STAR BUSINESS
FINANCE LIMITED,
SHREE SIDDALINGESHWARA SWAMY ARACADE,
1ST FLOOR, ABOVE KARUR VYSYA BANK LIMITED,
VIVEKANANDA ROAD, TUMKUR - 572 101

…PETITIONER

(BY SMT. YASHAVI S., ADVOCATE FOR
SRI. SURESH V., ADVOCATE)

AND:

1. STATE OF KARNATAKA
BY KORATAGERE POLICE STATION
REPRESENTED BY STATE PUBLIC PROSECUTOR,
DR. AMBEDKAR VEEDHI, HIGH COURT BUILDING,
BENGALURU - 560 001

2. SRI. ASWATHAPPA,
S/O LATE RAMAIAH,

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AMARANNAVAR
JUDGE, HIGH COURT OF KARNATAKA

AGED ABOUT 54 YEARS
OCCUPATION - WATER MAN,
RESIDING AT KURMAKOTE VILLAGE,
CN DURGA HOBLI,
KORATAGERE TALUK,
TUMAKURU - 572 101

…RESPONDENTS

(BY SMT. YASHODHA K.T., AGA FOR R1
SRI. MAHESH CHANDRA B.N., ADVOCATE
SRI. MANIKANTA H.B., ADVOCATE FOR R2)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA READ WITH SECTION 528 OF BNSS, 2023 PRAYING TO QUASH THE FIR IN CRIME NO.0021/2025 DATED 30.01.2025 PENDING BEFORE THE CIVIL JUDGE AND JMFC COURT, KORATAGERE, TUMKUR DISTRICT FOR THE OFFENCE PUNISHABLE UNDER SECTIONS 329(4), 324(4), 308(4), 352, 351(1) OF BHARATIYA NYAYA SANHITA 2023 AGAINST THE PETITIONER/ACCUSED NO.2, REGISTERED BY THE FIRST RESPONDENT POLICE STATION VIDE ANNEXURE-A WITH EXEMPLARY COST.

IN WP NO. 5995/2025

BETWEEN:

1. SRI NATARAJU P N
S/O SRI NARASAIAH
AGED ABOUT 37 TYEARS
WORKING AS BRANCH MANAGER
AT FIVE STAR BUSINESS FINANCE LIMITED

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JUDGE, HIGH COURT OF KARNATAKA

SHREE SIDDALINGESHWARA SWAMY ARACADE
1ST FLOOR, ABOVE KARUR VYSYA BANK LIMITED
VIVEKANANDA ROAD, TUMKUR - 572 101

...PETITIONER

(BY SMT. YASHASVI S., ADVOCATE FOR

SRI. SURESH V., ADVOCATE)

AND:

1. STATE OF KARNATAKA
BY KORATAGERE POLICE STATION
REPRESENTED BY STATE PUBLIC PROSECUTOR
DR. AMBEDKAR VEEDHI
HIGH COURT BUILDING
BENGALURU - 560 001

2. SRI ASWATHAPPA
S/OLATE RAMAIAH
AGED ABOUT 54 YEARS
OCCUPATION WATER MAN
RESIDING AT KURMAKOTE VILLAGE
C N DURGA HOBLI, KORATAGERE TLAUK
TUMAKURU

...RESPONDENTS

(BY SMT. YASHODHA K.P., AGA FOR R1

SRI. MAHESH CHANDRA B.N., ADVOCATE FOR

SRI. MANIKANTA H.B., ADVOCATE FOR R2)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA READ WITH SECTION 528 OF BNSS, 2023 PRAYING TO QUASH THE FIR IN CRIME NO.0021/2025 DATED 30.01.2025 PENDING BEFORE THE CIVIL JUDGE AND JMFC COURT, KORATAGERE, TUMKUR DISTRICT FOR THE

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OFFENCE PUNISHABLE UNDER SECTIONS 329(4), 324(4), 308(4), 352, 351(2) OF BHARATIYA NYAYA SANHITA 2023 AGAINST THE PETITIONER/ACCUSED NO.1, REGISTERED BY THE FIRST RESPONDENT POLICE STATION VIDE ANNEXURE-A WITH EXEMPLARY COST ETC.

THESE PETITIONS, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

ORAL ORDER

1. These two petitions are filed under Articles 226 and 227 of the Constitution of India read with Section 528 of the Bharatiya Nagarik suraksha Sanhita, 2023, praying to quash the FIR in Crime No.21/2025 of Koratagere Police Station, Tumakuru, registered for offences punishable under Sections 329(4), 324(4), 308(4), 352, 351(2) of Bharatiya Nyaya Sanita.

2. On the complaint of respondent No.2, the case came to be registered in Crime No.21/2025 of Koratagere

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JUDGE, HIGH COURT OF KARNATAKA

Police Station, Tumakuru against the petitioner in WP No.5995/2025 for the aforesaid offences.

3. The petitioner in W.P.No.8021/2012 has been arrayed as Accused No. 2 in the remand application. The petitioners of both the Writ Petition sought quashing of the FIR.

4. A joint memo is filed in both the petitions. The terms of the joint memo reads as under:

JOINT MEMO IN WP NO.8021/2025

It is respectfully submitted that, the Petitioner and the 2nd Respondent herein have amicably settled the present lis among themselves with the intervention of the well-wishers and the 2nd Respondent in lieu of the loan A/C No.FSKALALONS000005023354 is making a payment of Rs.65,000/- [Rupees Sixty Five Thousand Only], vide Demand Draft bearing No.033894, drawn on SBI, Thovinakere Branch, dated 30/10/2026, the petitioner herein has accepted for the said payment and have agreed to close the loan Account and also has agreed to return the Original Documents and NOC to Maruthesh [Co-applicant), as such the 2nd Respondent herein has agreed for the quashing of the present FIR dated 30/01/2025 bearing No.21/2025 lodged by the 1st

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Respondent Police on the file of Civil Judge and JMFC, Koratagere. Hence this memo along with the affidavit may kindly be taken on record and the present Writ Petition be allowed in the interest of justice and equity.

JOINT MEMO IN WP NO.5995/2025

It is respectfully submitted that, the Petitioner and the 2nd Respondent herein have amicably settled the present lis among themselves with the intervention of the well-wishers and the 2nd Respondent in lieu of the loan A/C No.FSKALALONS000005023354 is making a payment of Rs.65,000/- [Rupees Sixty Five Thousand Only], vide Demand Draft bearing No.033894, drawn on SBI, Thovinakere Branch, dated 30/10/2026, the petitioner herein has accepted for the said payment and have agreed to close the loan Account and also has agreed to return the Original Documents and NOC to Maruthesh [Co-applicant), as such the 2nd Respondent herein has agreed for the quashing of the present FIR dated 30/01/2025 bearing No.21/2025 lodged by the 1st Respondent Police on the file of Civil Judge and JMFC, Koratagere. Hence this memo along with the affidavit may kindly be taken on record and the present Writ Petition be allowed in the interest of justice and equity.

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5. In terms of the Joint memo, the respondent No.2 has handed over the Demand Draft bearing No.033894 for Rs.65,000/- dated 30.10.2026 drawn on State Bank of India, Thovinakere Branch to Sri. Kishore Kumar Hegde, Regional Manager, Five Star Business Finance Limited, Tumakuru. So the petitioners of both petitions and respondent no.2 have settled the matter. The respondent no.2 has no objection to quash the FIR in terms of the said settlement.

6. In terms of the said settlement arrived at between both petitioners and the respondent No.2, the FIR in Crime No.21/2025 of Koratagere Police Station, Tumakur is quashed.

7. The said Bank Manager submits that the said amount of Rs.65,000/- is received towards full and final settlement of loan of respondent No.2 and original documents be returned with no objection certificate to surety Sri. Maruthesh.

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8. Accordingly, the writ petitions stands ***disposed off***.

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AMARANNAVAR
JUDGE, HIGH COURT OF KARNATAKA

(SHIVASHANKAR AMARANNAVAR)
JUDGE

SNC
List No.: 3 Sl No.: 5