HC-KAR

NC: 2026:KHC:23421
CRL.P No. 6196 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.NAGAPRASANNA

CRIMINAL PETITION NO. 6196 OF 2026

BETWEEN:

1. SMT. KOMALA M.,
   D/O LATE MAHADEVAPPA R.,
   AGED ABOUT 32 YEARS,
   R/AT VIRUPASANDRA VILLAGE,
   V.R.DODDI POST, SATHANUR HOBLI,
   KANAKAPURA TALUK,
   BENGALURU SOUTH – 562 117.

2. SMT. SUPRITHA R. P.,
   W/O VIRENDRA V.,
   AGED ABOUT 33 YEARS,
   R/AT NO. 121, GULYA HARIYABBE,
   HIRIYUR TALUK.

...PETITIONERS

(BY SRI. ANAND MUTTALLI, ADVOCATE)

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

AND:

1. STATE OF KARNATAKA,
   BY PEENYA STATION,
   REPRESENTED BY
   STATE PUBLIC PROSECUTOR,
   HIGH COURT OF KARNATAKA,
   BENGALURU - 560 001.

2. MR. ANIL KUMAR P. V.,
S/O UNKNOWN,
AGED ABOUT MAJOR,
RESIDING AT NO. B 301,
PRASIDDI, NIMISHAMBA,
APARTMENT, SSA ROAD,
CHOLANAYAKANAHALLI,
R T NAGAR POST,
BENGALURU – 560 032.

…RESPONDENTS

(BY SRI. B.N.JAGADEESHA, ADDL. SPP FOR R1;
BHAVANA N.PATIL, ADVOCATE FOR R2)

THIS CRL.P IS FILED U/S 528 BNSS, 2023 PRAYING TO QUASH THE IMPUGNED FIR (AT ANNEUXRE-A) IN CR.NO.757/2016 REGISTERED AGAINST THE PETITIONERS BY THE RESPONDENT NO.1 POLICE FOR THE OFFENCES P/U/S 338 OF IPC, 1860 PENDING ON THE FILE OF THE HON'BLE 45TH A.C.J.M, BENGALURU AND ETC.,

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

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

ORAL ORDER

The petitioners are before this Court, seeking the following prayers:

> "WHEREFORE, the Petitioners respectfully pray before this Hon'ble Court that this Hon'ble may be pleased to grant the following:
>
> a) Call for the records in Crime No. 0757/2016 registered against the Petitioners, by the Respondent No.1 police, for the offences punishable under section 338 of the Indian

Penal Code, 1860, pending on the file of the Hon'ble 45th Additional Chief Judicial Magistrate, Bengaluru.

b) QUASH the impugned FIR (at ANNEXURE -A) in Crime No. 0757/2016 registered against the Petitioners, by the Respondent No.1 police, for the offences punishable under section 338 of the Indian Penal Code, 1860, pending on the file of the Hon'ble 45th Additional Chief Judicial Magistrate, Bengaluru.

c) QUASH the Complaint dated 11.08.2016 filed by the Respondent No.2. with the Respondent No.1 police (at ANNEXURE-B), for the offences punishable under section 338 of the Indian Penal Code, 1860, pending on the file of the Hon'ble 45th Additional Chief Judicial Magistrate, Bengaluru.

d) Grant such other relief as this Hon'ble Court deems fit in the facts and circumstances of this case, in the interest of justice."

2. Heard Sri.Anand Muttalli, learned counsel appearing for the petitioners, Sri.B.N.Jagadeesha, learned Addl. SPP appearing for respondent No.1, Bhavana N Patil, 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 settled the dispute by filing Compounding Application along with Joint Affidavit drawing up certain terms of settlement. The Joint Affidavit filed by the parties to the *lis* reads as follows:

"JOINT AFFIDAVIT

I, KOMALA M, D/o Late Mahadevappa R, aged about 32 years, R/at: Virupasandra village, V. R Doddi post, Sathanur Hobli, Kanakapura Taluk, Bengaluru South-562117, the Petitioner No.1 herein do herby state on oath as follows:

I, SUPRITHA RP, W/o Virendra V, aged about 33 years, R/at: No. 121, Gulya Hariyabbe Hiriyur Taluk, Gulya, Chitradurga-577546, the Petitioner No.2 herein do hereby state on oath as follows:

I, ANIL KUMAR P V, S/o Venkatesh PG, aged about 42 years, R/at: Flat No. T 302, No. 31, Sri Sai Sankalpa, 12th Cross, pampa extension, behind canara bank, H A Farm post, Hebbal, Kempapura, Bengaluru -560024, the Respondent No.2 herein do herby state on oath as follows:

1. The Petitioners herein, aggrieved by the FIR dated 11.08.2016 registered by the Peenya PS against the Petitioners in Crime No. 0757/2016 for the offence punishable under section 338 of the Indian Penal Code, 1860, pending on the file of the Hon'ble 45th Additional Chief Judicial Magistrate, Bengaluru based on the Complaint filed by Respondent No.2/ De Facto Complainant, have preferred this instant petition seeking to quash the entire proceeding initiated against him.

2. After several discussions, the Petitioners and the Respondent No.2 have arrived at a settlement and agreed to resolve the dispute between them. In view of the settlement arrived at, the Petitioner No.1 is handing over a DD dated 13.04.2026 bearing No. 765410 for a sum of Rs. 4,00,000/- (Rupees Four Lakh Only) in favour of the Respondent No.2 and the Petitioner No.2 is handing over a DD dated 17.04.2026 bearing No. 534945 for a sum of Rs. 2,00,000/- (Rupees Two Lakh Only) to the Respondent No.2-Complainant. Thus, the Respondent No.2-Complainant no longer wishes to prosecute the case in Crime No. 0757/2016 registered by the Respondent No.1 police against the Petitioners, for the offence punishable under section 338 of the Indian

Penal Code, 1860, pending on the file of the Hon'ble 45th Additional Chief Judicial Magistrate, Bengaluru.

3. In lieu of the settlement between the parties, continuation of the aforestated proceedings will cause irreparable injury and hardship, not only to the Petitioners herein, but also to the 2nd Respondent.

4. Both the parties unconditionally agree to not file any other complaint against each other in future on the same cause of action.

5. In view of the settlement arrived at by the parties, the Petitioners humbly pray that this Hon'ble Court may kindly permit the parties to compound the alleged offence in Crime No. 0757/2016 for the offence punishable under section 338 of the Indian Penal Code, 1860, pending on the file of the Hon'ble 45th Additional Chief Judicial Magistrate, Bengaluru, in the interest of justice.

6. The 2nd Respondent/First Information does not have any objections for compounding the alleged offence as the disputes have been settled amicably as stated supra. The 2nd Respondent does not have any further claims or grievances against the Petitioners.

WHEREFORE, the Petitioners and the 2nd Respondent humbly pray that this Hon'ble Court may be pleased to allow this application and permit the parties to compound the alleged offences in Crime No. 0757/2016 for the offences punishable under section 338 of the Indian Penal Code, 1860, pending on the file of the Hon'ble 45th Additional Chief Judicial Magistrate, Bengaluru, in the interest of justice."

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

5. In the light of application for compounding being filed along with the joint affidavit and offences not being against the State, I deem it appropriate to accept the same and terminate the proceedings against the petitioners in the subject petition.

6. For the aforesaid reasons, the following:

O R D E R

[I] Criminal Petition is disposed.

[II] Complaint dated 11.08.2016 filed by the Respondent No.2 with the Respondent No.1 police for the offence punishable under section 338 of the Indian Penal Code, 1860, and FIR in Crime No.757/2016, pending before the 45th Additional Chief Judicial Magistrate, Bengaluru, stand quashed, *qua* the petitioners.

Sd/-
(M.NAGAPRASANNA)
JUDGE

CBC
List No.: 2 Sl No.: 82