HC-KAR

NC: 2026:KHC:55293
WP No. 17535 of 2022
C/W WP No. 20036 of 2022

CNR: KAHC010399872022

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 05TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE V SRISHANANDA

WRIT PETITION No.17535 OF 2022 (GM-RES)
C/W WRIT PETITION No.20036 OF 2022 (GM-RES)

IN WP No. 17535/2022

BETWEEN:

1. K SUKANANDA SHETTY
S/O LATE SHAM SHETTY,
AGED ABOUT 65 YEARS,
RESIDING AT SHETTY TEA STALL
ARYAN MILK COLONY,
MODERN BAKERY BUILIDING,
GOREGAON (EAST)
MUMBAI -400 065,
MAHARASTRA STATE.

2. PRABHAVATHI S SHETTY
D/O LATE SHAM SHETTY,
AGED ABOUT 59 YEARS,
RESIDING AT NO.455,
SARAD NAGAR, TARSALI ROAD,
VADODARA, BARODA -390 009,
GUJARAT STATE.

...PETITIONERS

(BY SRI. MANIVANNAN G, ADVOCATE)

Digitally signed by R MANJUNATHA
Location: HIGH COURT OF KARNATAKA

AND:

K DIVAKAR SETTY
S/O LATE KRISHNA SHETTY,
AGED ABOUT 70 YEARS,
RESIDING AT FLAT NO.301,
ANDHERI MANISH HOUSING SOCIETY,

MANISH NAGAR,
ANDHERI WEST -400 053.
MUMBAI,
MAHARASTRA STATE.

…RESPONDENT

(BY SMT.URMILA PULLAT, ADVOCATE)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA R/W SECTION 482 CODE OF CRIMINAL PROCEDURE PRAYING TO CALL FOR THE RECORDS IN CRL.MIS.NO.62 OF 2018 ON THE FILE OF THE HON'BLE II ADDL.CIVIL JUDGE AND JMFC, AT UDUPI AND THE ENTIRE RECORDS IN CRL.A.NO.44 OF 2022 ON THE FILE OF THE HON'BLE PRINCIPAL DISTRICT AND SESSION JUDGE AT UDUPI AND QUASHING THE ORDER DATED 26.07.2022 PASSED BY THE HON'BLE PRINCIPAL DISTRICT AND SESSION JUDGE, AT UDUPI, IN CRL.A.NO.44 OF 2022 AT ANNEXURE-A AND ETC.,

IN WP No.20036/2022

BETWEEN:

P NITYANANDA SHETTY
S/O LATE SHAM SHETTY
AGED ABOUT 70 YEARS
RESIDING AT 'ANKUR' 5TH CROSS
DASARATH NAGAR
MANIPAL-576 104.

...PETITIONER

(BY SRI. MANIVANNAN G, ADVOCATE)

AND:

1. K DIVAKAR SETTY
   S/O LATE KRISHNA SHETTY
   AGED ABOUT 70 YEARS
   RESIDING AT FLAT NO.301
   ANDHERI MANISH HOUSING
   SOCIETY, MANISH NAGAR
   ANDHERI WEST, MUMBAI
   MAHARASTRA STATE

...RESPONDENT

(BY SMT.URMILA PULLAT, ADVOCATE)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA R/W SECTION 482 CODE OF CRIMINAL PROCEDURE PRAYING TO CALL FOR THE ENTIRE RECORDS IN CRL.MIS.NO.62 OF 2018 ON THE FILE OF THE HONOURABLE II ADDL. CIVIL JUDGE AND JMFC AT UDUPI, ANNEXURE-B AND THE ENTIRE RECORDS IN CRL.A.NO.44 OF 2022 ON THE FILE OF THE HONOURABLE PRINCIPAL DISTRICT AND SESSIONS JUDGE AT UDUPI, VIDE ANNEXURE-A AND QUASH THE ORDER DATED 26.7.2022 PASSED BY THE HONOU RABLE PRINCIPAL DISTRICT AND SESSIONS JUDGE, AT UDUPI, IN CRL.A.NO.44 OF 2022 AT ANNEXURE-A IN SO FAR AS THE PETITIONER IS CONCERNED AND ETC.,

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

CORAM: HON'BLE MR. JUSTICE V SRISHANANDA

ORAL ORDER

Parties present. Joint memo filed.

2. Contents of the joint memo explained to the parties.

3. Parties agree that the contents of the joint memo depicts true terms of settlement.

4. As such, following the dictum of the Hon'ble Apex Court in the case of ***Ramgopal and another vs. State of Madhya Pradesh*** reported in ***(2022)14 SCC 531***, and noting that the *lis* is privy to the parties not having any serious impact on the Society, the following:

ORDER

(i) Placing the joint memo on record petitions are ***allowed.***

(ii) Consequently, order dated 22.04.2022 passed in Crl.Mis.No.62/2018 passed by the II Addl. Civil Judge and JMFC, Udupi and the Order dated 26.07.2022 passed in Crl.A.No.44/2022 by the

Principal District and Sessions Judge, Udupi, are hereby quashed.

(iii) In view of disposal of the petition, pending applications, if any, stand consigned to record.

Sd/-
(V SRISHANANDA)
JUDGE

kcm
List No.: 1 Sl No.: 61
CT:VRR