HC-KAR

NC: 2026:KHC:64036
CRL.P No. 10223 of 2025

CNR: KAHC010468012025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 18TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR

CRIMINAL PETITION NO. 10223 OF 2025 (482(Cr.PC) / 528(BNSS)

BETWEEN:

1. SRI JAYAKUMAR P S
AGED ABOUT 68 YEARS,
S/O G SUBRAMANYAM,
R/A. NO. 205, BHARATHI NILAYA,
7TH B MAIN, 1ST BLOCK,
HRBR LAYOUT, KALYAN NAGAR,
BENGALURU CITY -560 043.

2. SRI. RAGHUNATH R
AGED ABOUT 43 YEARS,
S/O RAMAKRISHNAPPA,
R/A. NO. 76, MANCHIGANAHALLI VILLAGE,
MULBAGAL TALUK, KOLAR,
KARNATAKA- 563 131.

3. VENKATE GOWDA N
AGED ABOUT 38 YEARS,
S/O N CHANGE GOWDA,
R/A. 2-5, THOTAKANUMA, V KOTA,
VTC THOTA KANUMA, PO THOTAKANUMA,
CHITTOOR DISTRICT,
ANDHRA PRADESH 517 415.

...PETITIONERS

(BY SRI. SUNIL KUMAR S, ADVOCATE)

AND:

1. STATE OF KARNATAKA
BY BAGALURP S
REPRESENTED BY SPP,
HIGH COURT BUILDING,
BENGALURU 560 001.

Digitally signed by VANDANA S
Location: High Court of Karnataka

2. SMT. SHWETHA P S
AGED ABOUT 40YEARS,
R/A.KADATANAMALE VILLAGE,
ARAKERE POST, HESARAGHATTA HOBLI,
YELAHANKA TALUK, BENGALURU,
KARNATAKA – 562 163.

…RESPONDENTS

(BY SMT. DEEPTHI ALVA, HCGP FOR R-1
SRI. SOMASEKHARA.K.M, ADVOCATE FOR R-2)

THIS CRL.P IS FILED U/S 482 CR.PC (FILED U/S 528 BNSS) PRAYING TO QUASH THE ENTIRE CHARGE SHEET IN CR.NO.272/2024 REGISTERED BY THE BAGALUR PS FOR O/P/US/ 217,3(5),318(2),318()3),318(4),322,335,336(2),336(3),61 OF THE BNS 2023, WHICH IS NOW PENDING IN CC NO.1322/2025 BEFORE THE LEARNED PRL.CIVIL JUDGE AND JMFC, DEVANAHALLI FOR THE O/P/US/ 318(2), 318(3),318(4),322,61,3(5), OF BNS, IN SO FAR AS THE PETITIONERS CONCERNED.

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

CORAM: HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR

ORAL ORDER

This Criminal Petition is filed by the petitioners-accused Nos.8, 9 and 10 in Crime No. 272/2024 registered by the Bagalur Police Station, seeking the following prayer:

> *"A. Quash the entire chargesheet in Crime No. 272/2024 registered by the Bagalur Police Station for the offences punishable under Sections 217, 3(5), 318 (2), 318 (3), 318 (4), 322, 335, 336 (2), 336 (3), and 61 of the Bharatiya Nyaya Sanhita, 2023, now pending in C.C. No. 1322/2025 before the learned Principal Civil Judge and JMFC, Devanahalli for the offences punishable under Sections 318 (2), 318 (3), 318 (4), 322, 61, 3 (5) of BNS, in so far as the petitioners are concerned.*
>
> *B. Pass such other order(s) as this Hon'ble Court may deem fit in the facts and circumstances of the case in the interest of justice."*

2. Learned counsel for the petitioners-accused Nos.8, 9 and 10, learned H.C.G.P. for respondent No.1-State and learned counsel for respondent No.2-complainant is present.

3. Learned counsel for respondent No.2-complainant has filed the affidavit of respondent No.2-complainant, copy of which is served on the other side. The affidavit is as follows:

" I. Smt, Shwetha PS, aged about 40 years, Residing at Kadatanemale village, Arakere post, Hesaraghatta Hobli, Yelahanka Taluk, Bengaluru, Karnataka- 562163, today at Bengaluru, do hereby solemnly affirm and state on oath as follows:

1. I state that I am the Respondent No. 2 and the de-facto complainant in the above-mentioned case. I am well acquainted with the facts and circumstances of the case and am.competent to swear to this affidavit.

2. I state that I have filed a complaint against the Petitioners herein, which was registered as Crime No. 272/2024 by the Bagalur Police Station for the offences punishable under Sections 217, 3(5), 318(3), 318(4), 322, 335, 336(2), 336(3), 61 of the Bhartiya Nyay Sanhita, 2023.

3. I state that the Petitioners have filed the present Criminal Petition under Section 528 of Bhartiya Nagarik Suraksha, 2023 seeking to quash the FIR & Complaint in the aforementioned Crime No. 272/2024.

4. I state that subsequently, upon introspection and after detailed discussions with the elder members of my family, and other well-wishers, I have realized my mistake. I have been advised that pursuing such a complaint, which wasinitiated on a misunderstanding would be a futile exercise and would only lead to acrimony and wastage of precious judicial time.

5. I hereby unequivocally and unconditionally withdraw all the allegations made by me against the Petitioners in my complaint which resulted in the

registration of Crime No. 272/2024 by the Bagalur Police Station.

6. I state that I am swearing to this affidavit out of my own free will and volition, without any force, threat, coercion, undue influence, or inducement from the Petitioners or any person acting on their behalf. I have completely understood the contents of this affidavit, which have been read over and explained to me in the language I understand.

7. I state that I do not wish to pursue the criminal litigation against the Petitioners any further, continuing with the criminal prosecution would be an abuse of the process of the court.

8. I state that I have no objection whatsoever for this Hon'ble Court to allow the present Criminal Petition and quash the entire proceedings in Crime No. 272/2024, registered by the Bagalur Police Station, in the interest of justice.

What is stated above is true and correct to the best of my knowledge, information and belief."

2. The affidavit filed by respondent No.2-complainant is placed on record.

3. In view of the affidavit filed by the complainant, I pass the following:

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ORDER

Criminal Petition filed by petitioners-accused Nos.8, 9 and 10 is hereby allowed. Consequently, chargesheet in Crime No.272/2024 registered by the Bagalur Police Station for the offences punishable under Sections 217, 3(5), 318 (2), 318 (3), 318 (4), 322, 335, 336 (2), 336 (3), and 61 of the Bharatiya Nyaya Sanhita, 2023, now pending in C.C. No. 1322/2025 before the learned Principal Civil Judge and JMFC, Devanahalli for the offences punishable under Sections 318 (2), 318 (3), 318 (4), 322, 61, 3 (5) of BNS, is hereby quashed in so far as the petitioners are concerned.

Sd/-
(S.R.KRISHNA KUMAR)
JUDGE

BVV
List No.: 1 Sl No.: 1