HC-KAR

NC: 2026:KHC:60581
CRL.P No. 16267 of 2026

CNR: KAHC010735552026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

CRIMINAL PETITION NO. 16267 OF 2026

BETWEEN:

HARISH GIRI
AGED ABOUT 34 YEARS,
S/O MAHENDRA GIRI
R/AT 4TH CROSS, NEAR SBI BANK,
TC PALYA SIGNAL, K R PURAM,
BENGALURU- 560036

…PETITIONER

(BY SRI. LALITH KUMAR R., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
   BY K R PURAM POLICE STATION,
   REPRESENTED BY
   THE STATE PUBLIC PROSECUTOR,
   HIGH COURT BUILDING,
   BENGALURU– 560001

2. SRI HARINATH YOGI
   S/O KHADAK SINGH,
   AGED ABOUT 52 YEARS,
   R/A SADARBAJAR, COLONELAGANJ,
   GONDA, UTTAR PRADESH- 271502

…RESPONDENTS

(BY SRI. M V ANOOP KUMAR, ADDL.SPP FOR R1;
SRI. SATHWIK BHARADWAJ AND

Digitally Signed by ANANT RAMNATH HEGDE

SMT. NEHA .,ADVOCATE)

THIS CRL.P IS FILED U/S 482 CR.PC (FILED U/S 528 BNSS) BY THE ADVOCATE FOR THE PETITIONER PRAYING TO QUASHING OF THE ENTIRE PROCEEDINGS IN S.C. NO. 1497/2026 PENDING ON THE FILE OF THE HONBLE ADDITIONAL CITY CIVIL AND SESSIONS JUDGE (CCH-46), BENGALURU CITY, FOR THE OFFENCE PUNISHABLE UNDER SECTION 108 OF THE BHARATIYA NYAYA SANHITA, 2023;

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

CORAM: HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

ORAL ORDER

Heard the learned counsel appearing for the petitioner, the learned Additional SPP for respondent No.1 and the learned counsel for respondent No.2.

2. This petition is filed to quash the proceedings in S.C.No.1497/2026 pending before the Sessions Judge, Bengaluru. The offence alleged is under Section 103 of The Bharatiya Nyaya Sanhita, 2023.

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3. Respondent No.2/defacto complainant is father-in-law of the petitioner. The wife of the petitioner, who is the daughter of respondent No.2 committed suicide on 29.06.2026 and accordingly the complaint is filed and charge sheet is filed against the petitioner for the aforementioned offence.

4. Learned counsel for the petitioner and respondent No.2 jointly submit that there is an amicable settlement between the parties and that the complaint is filed on account of a misunderstanding.

5. It is the submission that respondent No.2 does not intend to prosecute the matter. The petitioner and the daughter of respondent No.2 have two children from the marriage and both of them are minors and they are now under the care and custody of the second respondent.

6. It is submitted that both the petitioner and respondent No.2 are citizens of Nepal.

7. The Court has perused the contents of the complaint and the charge sheet.

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8. It is stated that there was an argument between the petitioner and the deceased wife and after the argument, the petitioner left the house and later, it is noticed that the deceased i.e., the daughter of the second respondent had committed suicide. The charge sheet would also indicate that it is a case of suicide.

9. Considering the fact that the petitioner and the deceased have two minor children from the marriage and considering the fact that the respondent No.2/defacto complainant who is the father of the deceased, is not willing to prosecute the matter.

10. The Court is of the view that the further prosecution may not serve any purpose and may harm the interest of the minor children of the petitioner who are now said to be in the custody of the second respondent.

11. The charge sheet materials do not contain materials to sustain the charge for abetment of suicide

12. The Court has also perused the application filed by the petitioner and the second respondent, wherein the

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petitioner has undertaken to ensure that all the properties standing in his name and in the name of the deceased wife will not be alienated and they will be transferred to the names of the minor children.

13. Keeping in mind the interest of the minor children, the Court is of the view that the further prosecution may not serve any purpose.

14. Accordingly, the application is allowed. The petition is ***allowed***.

15. Proceeding in S.C.No.1497/2026 pending before the Sessions Judge, Bengaluru is quashed.

Digitally Signed by ANANT RAMNATH HEGDE

(ANANT RAMANATH HEGDE)
JUDGE

BRN
List No.: 2 Sl No.: 59