

**BEFORE NATIONAL LOK ADALATH HELD ON  
13.12.2025**

**A1 is the driver and A2 is the owner of Tractor bearing No.KA-32/TB-3358 and trolley No.KA-32/TB-3359 and the authorized officer have compounded the offence punishable U/s.379 of IPC.**

The authorized officer, the accused person present. The authorized officer and the accused person have compounded the offence for total amount **Rs.19240/-** towards usage of Tractor and its trolley in transporting sand without royalty. The accused and authorized officer have filed an application under Section 23(A) of MMDR Act.

The Hon'ble High Court of Karnataka in an unreported judgment in Crl. RP. No.683/2020, has held as follows:

*"9. Be that as it may, as the Lok Adalat has permitted composition of the above said offences and has discharged the respondents/accused therein, learned HCGP fairly submitted that at this length of time, the State does not intend to reopen the orders passed by the Lok Adalat except to the extent that the position of law arising out of section 23A of MMRD Act be clarified and appropriate directions be issued to the Lok Adalats dealing with the matters arising out of the applications of this nature while permitting composition for the offences under the provisions of this Act. 10. To get over the legal hurdle discussed above, learned HCGP has filed separate applications in each of the petitions*

*permitting composition of the offences alleged against the respondents/accused under section 23A(1) of the MMDR Act. 11. In the light of the above submissions and in view of the applications filed by the authorized officer under Section 23A(1) of MMDR Act, the awards passed by the Lok Adalat in the above proceedings are confirmed. Consequent to the above discussion, the following directions are issued:*

*(i) Whenever a prayer for compounding the offences punishable under the provisions of MMDR Act and the Rules thereunder is made before the Court or the Lok Adalat, the Court or the Lok Adalat shall ensure that application in this regard is filed by the authorized officer in terms of section 23A(1) of the MMDR Act.*

*(ii) The Conciliator shall ensure that the payment as determined by the authorized officer is paid to the credit of the Government.*

*(iii) In case of an offence punishable with fine only, the compounding charges shall not exceed the maximum amount of fine which may be imposed for that offence”.*

We have carefully perused the application filed under Section 320 (1) of Cr.P.C. & 23(A) of MMDR Act. We are very much conscious about the relevant provisions of the MMDR Act and KMMC Rules regarding the compromise of the case. However, as rightly pointed out in the application, the accused person is not before this court for the trial under the provisions of MMDR Act or KMMC Rules, rather the accused person is before this court only for the trial regarding Section **379 of I.P.C.** Hence, the provisions relating to compounding in MMDR Act and KMMC Rules are no where applicable to the case on hand, but

the provision relating to Section 320 of Cr.P.C. is applicable to the case on hand.

Since the authorized officer and the accused persons have compounded the offence for total amount of **Rs.19240/-** absolutely there is no impediment for this court to accept the same. Hence, the same is hereby accepted.

The accused have already deposited the said amount before the authorized officer and challan/receipt is furnished. Hence, the application filed by the accused is hereby allowed.

Acting under Section 320(8) of Cr.P.C. & 23(A) of MMDR Act **A1 and 2** are hereby acquitted for the alleged offence punishable **under Section 379 of I.P.C.**

The interim custody of the above said vehicles are hereby made absolute in favour of its owner.

Case against A3 is open. Call on 16-02-2025.

Non- Judicial Conciliator    Judicial Conciliator