



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF OCTOBER, 2025

BEFORE

THE HON'BLE MR. JUSTICE MOHAMMAD NAWAZ

CRIMINAL PETITION NO. 1323 OF 2025

C/W

CRIMINAL PETITION NO. 14359 OF 2025

CRIMINAL PETITION NO. 14388 OF 2025

IN CRL.P No. 1323/2025

BETWEEN:

1. SRI. SHANKAR D.S.
S/O LATE SATHYANARAYANA,
AGED ABOUT 65 YEARS,
2. SRI. VINAYAKA
S/O SHANKAR D.S.,
AGED ABOUT 31 YEARS,

BOTH ARE RESIDING AT
NO.1260, GROUND FLOOR,
4TH CROSS, 17TH MAIN ROAD,
MUNESHWARA BLOCK,
BANGALORE-560 026.

...PETITIONERS

(BY SMT. N. PADMAVATHI, ADVOCATE)

AND:

1. SMT. SHOBHA
W/O PRASHANTH D.S.,
AGED ABOUT 29 YEARS,
R/AT NO.1210, GROUND FLOOR,



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4TH CROSS, 17TH MAIN ROAD,
MUNESHWARA BLOCK,
BANGALORE-560 026.

2. STAE BY
GIRINAGAR POLICE STATION
V V PURAM SUB-DIVISION,
REPRESENTED BY
STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
BENGALURU-560 001.

...RESPONDENTS

(BY SRI. DEVARAJU R., ADVOCATE FOR R1;
SRI. RAHUL RAI, HCGP FOR R2)

THIS CRL.P IS FILED U/S 482 CR.PC (FILED U/S 528 BNSS) PRAYING TO QUASH THE ENTIRE CHARGE SHEET AND ENTIRE PROCEEDINGS IN C.C.NO.42556/2024 ON THE FILE OF XXXVII ACJM AT BENGALURU, WHICH AROSE OUT OF CR.NO.395/2024 FOR THE OFFENCES PUNISHABLE UNDER SECTION 85, 115(2) READ WITH 3(5) OF BNS 2023.

IN CRL.P NO. 14359/2025

BETWEEN:

SMT. SHOBHA G.
W/O PRASHANTH D.S.,
AGED ABOUT 30 YEARS,
RESIDING AT NO.313/21, 8TH CROSS,
T.R.SHAMANNA NAGAR, SRINAGAR,
BANGALORE-560 050.

...PETITIONER

(BY SRI. DEVARAJU R., ADVOCATE)

AND:

1. STATE BY GIRINAGAR POLICE
V.V. PURAM SUB-DIVISION,



GIRINAGAR,
BANGALORE-560 085,
REPRESENTED BY
STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
BANGALORE-560 001.

2. MR. PRASHANTH D.S.
S/O SHANKAR D.S.,
AGED ABOUT 33 YEARS,
R/AT NO.1210, GROUND FLOOR,
4TH CROSS, 17TH MAIN ROAD,
MUNESHWARA BLOCK,
BANGALORE-560 026.

...RESPONDENTS

(BY SRI. RAHUL RAI, HCGP FOR R1;
SRI. VIJAYAKUMAR, ADVOCATE FOR
SMT. N. PADMAVATHI, ADVOCATE FOR R2)

THIS CRL.P IS FILED U/S 482 CR.PC (FILED U/S 528 BNSS) PRAYING TO: (A) CALL FOR RECORDS IN C.C.NO.42703/2024, PENDING ON THE FILE OF XXXVII ADDL. CHIEF JUDICIAL MAGISTRATE, BANGALORE; (B) QUASH THE CHARGE SHEET AND CONSEQUENTLY QUASH THE ENTIRE PROCEEDINGS IN C.C.NO.42703/2024, PENDING ON THE FILE OF XXXVII ADDL. CHIEF JUDICIAL MAGISTRATE, BANGALORE WHICH AROSE OUT OF CRIME NO.396/2024 FOR THE OFFENCES PUNISHABLE UNDER SECTIONS 115(2), 118(2), 351(2), 352 OF BNS, 2023 AS AGAINST THIS PETITIONER.

IN CRL.P NO. 14388/2025

BETWEEN:

SRI. PRASHANTH D.S.
S/O SHANKAR D.S.,
AGED ABOUT 33 YEARS,
RESIDING AT NO.1260, GROUND FLOOR,
4TH CROSS, 17TH MAIN ROAD,



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MUNESHWARA BLOCK,
BANGALORE-560 026.

...PETITIONER

(BY SRI. VIJAYAKUMAR, ADVOCATE FOR
SMT. N. PADMAVATHI, ADVOCATE)

AND:

1. SMT. SHOBHA
W/O PRASHANTH D.S.,
AGED ABOUT 30 YEARS,
R/AT NO.1210,
4TH CROSS, 17TH MAIN ROAD,
MUNESHWARA BLOCK,
BANGALORE-560 026.
ALSO AT NO.11/1, 7TH CROSS,
LINK ROAD, CHOLURPALYA,
MAGADI ROAD,
BANGALORE-560 023.
2. STATE BY GIRINAGAR
POLICE STATION
V V PURAM SUB-DIVISION,
HIGH COURT OF KARNATAKA,
BANGALORE-560 001.

...RESPONDENTS

(BY SRI. DEVARAJU R., ADVOCATE FOR R1;
SRI. RAHUL RAI, HCGP FOR R2)

THIS CRL.P IS FILED U/S 482 CR.PC (FILED U/S 528 BNSS) PRAYING TO QUASH THE ENTIRE CHARGE SHEET AND ENTIRE PROCEEDINGS IN C.C.NO.42556/2024 ON THE FILE OF XXXVII ACJM AT BENGALURU, WHICH AROSE OUT OF CR.NO.395/2024 FOR THE OFFENCES PUNISHABLE UNDER SECTION 85, 115(2) R/W 3(5) OF BNS 2023.

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



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CORAM: HON'BLE MR. JUSTICE MOHAMMAD NAWAZ

ORAL ORDER

These 3 petitions arise out of two cases registered against each other, one in Crime No.395/2024 and another in Crime No.396/2024, both at Girinagar Police Station, Bengaluru City.

2. Crime No.395/2024 is registered on a complaint lodged by one Shobha against accused Nos.1 to 5 for the offence punishable under Section 85, 115(2) and 3(5) of BNS, 2023.

3. Crime No.396/2024 is registered on a complaint lodged by one Prashanth D.S., against the complainant in Crime No.395/2024 for the offence punishable under Section 115(2), 118(1), 351(2) and 352 of BNS, 2023.

4. The matter arises out of a matrimonial dispute. The parties are common in these 3 petitions, wherein respective applications are filed reporting settlement.



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Hence, the petitions are taken up together and disposed by this common order.

5. Accused in Crime No.395/2024 are the husband and in-laws of the defacto complainant in the said case. It is Submitted that while filing chargesheet accused Nos.4 and 5 named in the FIR are dropped. Chargesheet is filed against accused Nos.1 to 3.

6. CrI.P No.14388/2025 is preferred by accused No.1. CrI.P No.1323/2025 is preferred by accused Nos.2 and 3 respectively.

7. CrI.P No.14359/2025 is preferred by Shobha, accused in Crime No.396/2024 and the defacto complainant in Crime No.395/2024.

8. Learned counsel appearing for both the parties have submitted that the matter has been amicably settled. They submitted that a petition in M.C.No.5937/2025 is filed before the Principal Family Court at Bengaluru, wherein, the complainants in both the cases have filed a



memorandum of petition seeking to dissolve their marriage solemnized on 26.11.2017.

9. Petitioners and the respective parties are present before the Court. They are identified by their learned counsels. The complainants would submit that the matter has been settled and therefore, they are not interested in the respective proceedings initiated against each other.

10. In the application filed seeking permission to compound the offence and to quash the entire proceedings, it is stated that in the settlement agreement entered by the parties, they have agreed to quash the case pending in C.C.No.42703/2024 and 42556/2024 arising out of the above 2 cases registered at Girinagar Police Station, Bengaluru City.

11. The applications are accompanied by the affidavits sworn by the respective parties.



12. In ***Jitendra Raghuvanshi and others v. Babita Raghuvanshi and another*** reported in **2013(2) Crimes 90(SC)**, it is held by the Apex Court that 'the inherent powers of the High Court under Section 482 of Cr.P.C., are wide and unfettered. It is the duty of the Courts to encourage genuine settlements of matrimonial disputes, particularly, when the same are on considerable increase. Even if the offences are non-compoundable, if they relate to matrimonial disputes and the Court is satisfied that, the parties have settled the same amicably and without any pressure, for the purpose of securing the ends of justice, Section 320 of the Code, would not be a bar to the exercise of power of quashing of FIR.'

13. In the case of ***B.S.Joshi and others V. State of Haryana and another*** reported in **(2003) 4 SCC 675**, the Hon'ble Supreme Court has upheld the powers of the High Court under Section 482 of the code to quash criminal proceedings, where dispute is of a private nature and the compromise is entered between the parties.



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14. In light of the above decisions of the Hon'ble Supreme Court, this Court is of the considered view that the present criminal proceedings initiated and pending between the parties, which arise out of a matrimonial dispute, is purely private in nature. In view of the amicable settlement, no purpose will be served in continuing the said proceedings. Hence, to secure the ends of justice, it is necessary to quash the proceedings. Accordingly, the following:

ORDER

The applications filed in the respective petitions are allowed. Consequently, the criminal petitions are ***allowed***.

The entire proceedings in C.C.No.42556/2024 and C.C.No.42703/2024 pending on the file of the Court of XXXVII Additional Chief Judicial Magistrate at Bengaluru are quashed.

Sd/-
(MOHAMMAD NAWAZ)
JUDGE