



IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 25TH DAY OF FEBRUARY, 2026
BEFORE
THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY
CRIMINAL PETITION NO. 1804 OF 2026

BETWEEN:

SRI CHETHAN MELINAMANI
S/O KAREPPA
AGED ABOUT 24 YEARS
R/A AMBEDKAR GALLI
KANVI KARAVINAKOPPA POST
HUKKERI TALUK, BELAGAVI
DISTRICT - 591 309.

...PETITIONER

(BY SRI N. DEVENDRA, ADV.)

AND:

1. STATE OF KARNATAKA
BY ALL WOMEN POLICE STATION
CHIKKABALLAPUR, REPRESENTED BY
STATE PUBLIC PROSECUTOR
HIGH COURT OF KARNATAKA - 560 001.

2. XXX

...RESPONDENTS

(BY SRI CHANNAPPA ERAPP, HCGP FOR R-1;
SRI SRINATH B.V, ADV., FOR R-2)

THIS CRL.P IS FILED U/S 482 CR.P.C (U/S 528 BNSS)
PRAYING TO QUASH THE FIR IN CR.NO.22/2025 LATER REGISTERED
AS SPL.SC.NO.77/2025 ON THE FILE OF ADDL. DISTRICT AND
SESSIONS JUDGE AND FTSC-1 (POCSO) CHIKKABALLAPUR, FOR THE
OFFENCES P/U/S 363,344,376(2)(n) OF IPC, U/S 5(L),5(J)(ii),6 OF
POCSO ACT, 2012, U/S 9 OF PROHIBITION OF CHILD MARRIAGE
ACT, 2006, AT ANNEXURE-A.

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





CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

1. Accused is before this Court in this criminal petition filed under Section 482 of Cr.P.C, with a prayer to quash the entire proceedings in Spl.S.C.(POCSO)No.77 of 2025 pending before the Court of Addl. Sessions Judge, FTSC-I(POCSOA), Chikkaballapura arising out of Crime No.22 of 2025 registered by Chikkaballapura Police Station, Chikkaballapura for offences punishable under Sections 363, 344, 376(2)(n) of IPC, Section 5(L), 5(J)(ii) and 6 of Protection of Children From Sexual Offences Act, 2012 and Section 9 of the Prohibition of Child Marriage Act, 2006.

2. Heard the learned counsel appearing for the parties.

3. FIR in the present case was registered against the petitioner for the aforesaid offences, based on the first information dated 18.03.2025, received from the respondent no. 2 herein, who is the elder sister of the victim girl, who was aged about 17 years 6 months as on the date of registration of FIR. After completing the investigation, charge sheet has been filed against the petitioner for the aforesaid offences and a case



has been registered against him before the Court of Additional District and Session Judge and FTSC-1, Chikkaballapura in Spl.S.C.No.77 of 2025. With a prayer to quash the entire proceedings in the aforesaid case, the petitioner is before this Court.

4. Learned counsel for the parties jointly submit that, dispute between the parties has been amicably settled at the intervention of well-wishers and elders of both the parties and the petitioner has married the victim girl on 25.09.2025 after she has attained the age of majority. They submit that, marriage certificate of the petitioner and the victim girl is produced along with the petition at Annexure-E. They also submit that, parties have filed affidavit before this Court with a prayer to quash the entire proceedings in view of the settlement arrived between the parties. The parties who are present before the Court are identified by their respective advocates and it is submitted that, settlement arrived between the parties is voluntary without there being any undue influence or coercion. It is also submitted that, pendency of this petition has been causing untold hardship to the petitioner and



the victim girl, who are now married and living together. The petitioner, victim girl, her elder sister, who is the first informant in the present case and the father of the victim girl have filed separate affidavits before this Court. In the affidavit of the victim girl, at paragraph nos.4 to 6, it is stated as follows: -

"4. I state that, during the proceedings, the victim attained majority and we got married on 25.09.2025 registered in the office of marriage Registrar, Belagavi South bearing document no.BES - HM01346 - 2025 - dated 10.11.2025. Further due to the intervention of the elders and well wishers of our respective well wishers we have settled the matter out of the Court.

5. I state that I am married to the victim and we have been living together under the same roof since 25.09.2025.

6. I state that, I have not filed any other application seeking similar relief before this Hon'ble Court along with main petition."

5. Similar averments are found in the affidavit filed by the petitioner, first informant and also in the affidavit of the father of the victim. Charge sheet has been filed in the present case for non-compoundable offences. The parties have now settled the *inter se* dispute between themselves. The petitioner



and the victim girl, who has now attained the age of majority are married and their marriage was also registered before the Office of Marriage Registrar, Belagavi South on 25.09.2025.

6. The Hon'ble Supreme Court in the case of **GIAN SINGH Vs. STATE OF PUNJAB**¹ has held that power under Section 482 of Cr.P.C. is required to be exercised to secure the ends of justice and to prevent abuse of process of Court and these powers can be exercised to quash the legal proceedings or complaint or FIR in appropriate cases where the parties have settled their dispute and for that purpose any definite category of offence cannot be prescribed. In the case of **PARBATBHAI AAHIR Vs. STATE OF GUJARAT**² the Hon'ble Supreme Court has observed that the powers under Section 482 of Cr.P.C. are not restricted by the provisions outlined under Section 320 of Cr.P.C., which means, the High Court can exercise its inherent powers independently notwithstanding the limitations under Section 320 of Cr.P.C. A Co-ordinate Bench of this Court in almost identical circumstances in the case of **MOHAMMAD**

¹ (2012) 10 SCC 303

² (2017) 9 SCC 641

³ AIR OnLine 2022 KAR 314



WASEEM AHAMAD Vs. STATE³, in view of the settlement arrived between the parties after the accused and the victim got married and the victim had given birth to a child, has quashed the entire proceedings in the criminal case which was pending before the Special Court for similar offences.

7. In the case of **AARUSH JAIN Vs. STATE OF KARNATAKA AND ANOTHER⁴**, a Co-ordinate Bench of this Court has observed as follows:

"xxxxxxxxxxxxx It is an admitted fact that the petitioner and the victim were close friends and were infatuated to each other. Several Courts as quoted hereinabove have considered the impact of hauling an under aged boy into the web of the provisions under the POCSO Act has clearly held that POCSO Act was not meant to punish the accused who were in love with the victims therein. 14. It is a known fact which bear consideration in the aforequoted judgments, in physiological parlance, that adolescence of a child is between 10 to 19 years and young age is said to be between 20 to 24 years. Therefore, adolescence is a



continuum of development process in the life of a child metamorphosing into young age or an adult. It would not be inapt to notice that young children or boys who have not yet reached the age of 18 years, many a time, without realizing or being ignorant of the consequences of their act which they perform in the frenzy of youth, emerge themselves as offenders under the provisions of POCSO Act and face serious consequences. Romantic love between a boy and a girl of the age of adolescence sometimes arising out of infatuations result in the boy embroiling himself into the vortex of the provisions of the POCSO Act. 15. The laudable object for which the POCSO Act was brought into effect cannot be forgotten, but that would not mean that it is meant to punish young children who would fall in love and commit such acts which would become punishable under the Act, a caveat, this Court is not painting every incidence of sexual activity of any kind that would become an offence under the POCSO Act, with the same brush, but there are cases of the kind, like the one at hand, where the adolescents have indulged in such acts due to lack of knowledge of consequence of law. xxxxxxxxxxxx".

8. The Hon'ble Supreme Court in the case of
MADHUKAR & ORS. Vs. THE STATE OF



MAHARASHTRA AND ANR⁵ in paragraph No.6 has held as follows:

"6. At the outset, we recognise that the offence under Section 376 IPC is undoubtedly of a grave and heinous nature. Ordinarily, quashing of proceedings involving such offences on the ground of settlement between the parties is discouraged and should not be permitted lightly. However, the power of the Court under Section 482 Cr.P.C. to secure the ends of justice is not constrained by a rigid formula and must be exercised with reference to the facts of each case."

9. No doubt Section 376 of IPC and Sections 4 and 6 of the POCSO Act are non-compoundable under Section 320 of Cr.P.C., however, considering the observation made by the Hon'ble Supreme Court in the cases of **GIAN SINGH** and **PARBATBHAI** (supra), that the powers of the High Court under Section 482 of Cr.P.C. are not restricted by the provisions of Section 320 of Cr.P.C. and the inherent powers under Section 482 of Cr.P.C. can be exercised to quash the FIR or criminal proceedings if this Court is of the considered opinion that continuation of the criminal case is not in the interest of



the parties and on the other hand ends of justice would be secured if the criminal proceedings is quashed, notwithstanding the fact that alleged offences are non-compoundable, still this Court in deserving cases can quash the entire proceedings.

10. The Hon'ble Supreme Court in the case of **RAMGOPAL AND ANOTHER Vs. STATE OF MADHYA PRADESH⁶**, has held that even in cases involving non compoundable offences where compromise is voluntary and allegations are private in nature, extra ordinary powers of the High Court can be exercised beyond the metes and bounds of Section 320 of Cr.P.C.

11. The parties who are before the Court, including the petitioner and the victim girl who are now married, have submitted before this Court that the pendency of the case has been causing hardship to the family members as well as to the petitioner and the victim girl to live a normal family life. Under the circumstances, I am of the opinion that, it is a fit case



wherein the inherent powers of this Court is to be exercised to do complete justice to the parties, who are before this Court.

12. Accordingly, the following :-

ORDER

- i. Criminal petition is allowed.
- ii. The entire proceedings in Spl.S.C.(POCSO)No.77 of 2025 pending before the Court of Addl. Sessions Judge, FTSC-I(POCSOA), Chikkaballapura arising out of Crime No.22 of 2025 registered by Chikkaballapura Police Station, Chikkaballapura for offences punishable under Sections 363, 344, 376(2)(n) of IPC, Section 5(L), 5(J)(ii) and 6 of Protection of Children From Sexual Offences Act, 2012 and Section 9 of the Prohibition of Child Marriage Act, 2006 is hereby quashed.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE