



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. 2846 OF 2026

C/W

CRIMINAL PETITION NO. 7555 OF 2025,

CRIMINAL PETITION NO. 9112 OF 2025

IN CRL.P NO. 2846 OF 2026

BETWEEN:

WAJEEHA BANU F.H,
W/O ALTAMASH
D/O FAZLUL HUQ SYED
AGED ABOUT 32 YEARS
R/O NO.7, GROUND FLOOR
AM ROAD, FRAZER TOWN
BANGALORE - 560 005.

...PETITIONER

(BY SRI. MOHD JAVED, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
SHO SIDDAPURA PS
REP. BY SPP
HIGH COURT BUILDING
BENGALURU - 560 001.





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C/W CRL.P No. 9112 of 2025
CRL.P No. 7555 of 2025

2. SRI. MOHAMMED ALTAMASH
S/O SRI H.S. FAZALULLA
R/AT 56/31, 5TH CROSS, 5TH MAIN
OFFICIAL COLONY, BYRASANDRA
JAYANAGARA, 1ST BLOCK,
BENGALURU - 560 011.

...RESPONDENTS

(BY SRI. CHANNAPPA ERAPPA, HCGP FOR R1;
SMT. ASMA PASHA A, ADVOCATE FOR R2)

THIS CRL.P IS FILED U/S 482 OF CR.P.C (U/S 528 BNSS)
PRAYING TO QUASH THE ENTIRE PROCEEDINGS ARISING OUT
OF FIR/CR.NO.51/2024 DTD 15.02.2024 REGISTERED BY
SIDDAPURA P.S., FOR THE OFFENCES P/U/S 341, 323, 324,
506, 149 OF IPC, PENDING ON THE FILE OF II ACMM,
NRUPATUNGA ROAD, BANGALORE, AS AGAINST THE
PETITIONER/ACCUSED.

IN CRL.P NO. 9112 OF 2025

BETWEEN:

SALMA BANU @ UMME SALMA
W/O MR. MOHD JAVED
AGED ABOUT 35 YEARS
R/O RUPRAKA (246)
PALWAL, HARYANA - 121 103.

...PETITIONER

(BY SRI. MOHD JAVED, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
SHO SIDDAPURA P.S.,
REP. BY SPP, HIGH COURT BUILDING
BENGALURU - 560 001.



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2. SRI. MOHAMMED ALTAMAS
S/O SRI. H.S. FAZLULLA
R/AT 56/31, 5TH CROSS, 5TH MAIN
OFFICIAL COLONY, BYRASANDRA
JAYANAGARA 1ST BLOCK
BENGALURU - 560 011.

...RESPONDENTS

(BY SRI. CHANNAPPA ERAPPA, HCGP FOR R1;
SMT. ASMA PASHA A, ADVOCATE FOR R2)

THIS CRL.P IS FILED U/S 482 OF CR.PC (FILED U/S 528 BNSS) PRAYING TO QUASH THE ENTIRE PROCEEDINGS ARISING OUT OF FIR/CRIME NO.51 OF 2024 DATED 15.02.2024 FOR THE OFFENCE P/U/S. 341, 323, 324, 506 AND 149 OF IPC REGISTERED IN SIDDAPURA P.S., PENDING ON THE FILE OF II ADDL. CMM, NRUPATHUNGA ROAD, AT BANGALORE, AS AGAINST THE PETITIONER/ACCUSED.

IN CRL.P NO. 7555 OF 2025

BETWEEN:

1. MR. NOORUDDIN ALIAS NOORUDDIN AHMED
S/O LATE MOHAMMED FAZLUL HUQ SYEED
AGED ABOUT 30 YEARS,
R/O 317, KENCHAPURA CROSS,
BANGALORE, VISHWAVIDALAYA,
BANGALORE SOUTH - 560 056
KARNATAKA.
2. MR. SALAHUDDIN @ SALAHUDDIN AHMED
S/O LATE MOHAMMED FAZLUL HUQ SYEED
AGED ABOUT 42 YEARS,
R/O NO. 90, Y G MENTION,
3RD FLOOR, FLAT NO. 07,
3RD MAIN ROAD, TELECOM LAYOUT,
HBR 5TH BLOCK OUTER RING RD,



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BANGALORE NORTH - 560 043, KARNATAKA.

3. SABIYA BANU @
REHAMATH UNNISA FH
D/O LATE MOHAMMED
FAZLUL HUQ SYEED
AGED ABOUT 34 YEARS,
R/O NO.2440, NEAR
SONNENAHALLI BRIDGE,
SIR M VISHWESWARAIAH
LAYOUT, ULLAL UPANAGARA,
BANGALORE NORTH - 560 056
KARNATAKA.

...PETITIONERS

(BY SRI. MOHD JARED, ADVOCATE)

AND:

1. THE STATE BY SIDDAPURA P.S.,
REP. BY STATE PUBLIC PROSECUTOR.
HIGH COURT BUILDING,
BANGALORE - 560 001.
2. MOHAMMED ALTAMASH,
S/OHS FAZALULLA
AGED ABOUT 38 YEARS,
R/O 56, 5TH CROSS, 5TH MAIN,
OFFICIAL COLONY, BYRASANDRA,
JAYANAGAR, BANGALORE - 560 011.

...RESPONDENTS

(BY SRI. CHANNAPPA ERAPPA, HCGP FOR R1;
SMT. ASMA PASHA A, ADVOCATE FOR R2)

THIS CRL.P IS FILED U/S 482 OF CR.PC (FILED U/S 528
BNSS) PRAYING TO QUASH THE ENTIRE PROCEEDINGS IN



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C.C.NO.16828/2024 ARISING OUT OF CR.NO.51/2024 FOR THE OFFENCE P/U/S 149, 323, 324, 341 AND 506 OF IPC, PERTAINING TO SIDDAPURA P.S., PENDING ON THE FILE OF HONBLE COURT OF II ADDL. CJM, BANGALORE AND GRANT SUCH OTHER AND FURTHER RELIEF/S AS THIS HONBLE COURT DEEMS FIT AND PROPER UNDER THE FACTS AND CIRCUMSTANCES OF THE CASE.

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

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

Accused Nos.1 to 5 in CC No.16828/2024 pending before the Court of II Additional Chief Judicial Magistrate, Bangalore, arising out of Crime No.51/2024 registered by Siddapura Police Station, Bengaluru, for the offences punishable under Section 149, 323, 324, 341 and 506 of IPC are before this Court in these three petitions filed under Section 528 of BNSS 2023 read with Section 482 of Cr.P.C., with a prayer to quash the entire proceedings in the aforesaid case as against them.



2. Learned counsel for the parties jointly submit that dispute between the parties has been amicably settled before the Principal Judge, Family Court at Bangalore in G&WC No.354/2024 and in view of the said settlement, the impugned proceedings as against the petitioners may be quashed. They submit that the settlement arrived between the parties is voluntary, without any undue influence and coercion. Accused No.1 who is the wife and the first informant who is the husband, are present in the Court and are identified by their respective Advocates.

3. The Memorandum of Settlement that was submitted in G&WC No.354/2024 before the Court of Principal Judge, Family Court, Bangalore, by accused No. 1 and her husband, who is the first informant in the present case is taken on record.

4. In para II and III of the said Memorandum of Settlement dated 28.02.2025, it is stated as follows:



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"II. The aforesaid petition was preferred to mediation for resolving the dispute between the parties. During the course of mediation, both the parties along with their respective counsel were present and they have resolved their dispute and have agreed to the following terms and conditions:

1. The petitioner and the respondent state that their marriage was solemnised on 22.07.2018 at Masjid-E-Umme-Kulsum, No.375, 2nd Main, 4th Cross, Laxmi Layout, Arekere Cross, Bannerghatta Road, Bengaluru- 560 076 as per Muslim rites and customs. In their wedlock they have two children (twins) namely Mohammad Zainul Abideen and Syeda Zaiba born on 17.06.2022.
2. The parties state and admit that due to irreconcilable differences and incompatibility of temperaments, they have been living separately from past bout 1 1/2 years.
3. Both the parties have decided to live separately without giving a divorce for the time being as they have two minor children.
4. In consideration of the above the petitioner who is the resident of Chitradurga District and the respondent choose to live in Bengaluru along with her two minor children. The petitioner in view of the respondent chosen to live in Bengaluru she has already secured a



rented premises for her residence at No.7, A.M Road, Frazer Town, Bengaluru - 560 005. The petitioner has paid a sum of Rs.1,50,000/- (Rupees One Lakh Fifty Thousand only) by way of advance to the land lord of the above said premises. The lease agreement stands in the name of the respondent. The petitioner also incurred a total sum of Rs.30,000/- (Rupees Thirty Thousand only) for providing house hold articles for a decent living to the respondent and their minor children.

5. Both the parties have admitted that the petitioner shall have visitation rights to his minor children on 1st and 3rd Saturdays of every month the meeting place shall be in the family court or any other place mutually agreed by both parties.

6. The petitioner states that the respondent after two years if she feel any difficulty in living or educating the minor children at Bengaluru, she can inform the petitioner so that he could arrange for her living in Hiriyur Town, Chitrdurga.

7. The petitioner has also undertakes to pay a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) every month towards the rent and other expenses to the respondent in fact he



has already paid the said sum to the respondent, from month of June 2025 itself.

8. The petitioner also undertakes apart from the above monthly payment, he shall bear all the expenses of two minor children education, medical and other miscellaneous expenses in future.

9. In view of this settlement arrived between the parties they shall withdraw/close/quash the following cases in accordance with law:

a) Crl.Misc.No.89/2025 filed by the respondent against the petitioner pending on the file of JMFC, Traffic Court-I, Bengaluru.

b) C.C.No.17944/2024 filed by the respondent against the petitioner under section 498A pending on the file of 2nd ACJM Court, Bengaluru.

c) C.C.No.16828/2024 filed by the petitioner against the respondent under Section 341, 323, 324, 506, 149 of IPC pending on the file of 2nd ACJM Court, Bengaluru.

10. Both the parties shall communicate with each other on only whatsapp no direct contacts on phone or otherwise. Both the parties assure that they shall not



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involve in each others lives or involve any of their other family members.

11. The parties admit and agree that there is no collusion or force, fraud or any undue influence in filing the above petition and entering into this compromise in the aforesaid manner.

III In view of the aforesaid agreement entered into between the parties, the parties pray that this Hon'ble Court be pleased to dispose of the same as withdrawn."

5. The parties to these petitions are relatives and they have now settled the dispute and it is stated that the parties intend to give a quietus to the dispute and live peacefully in future. In view of the above, I am of the opinion that the prayer made in these three petitions needs to be granted. Accordingly, the following:

ORDER

(1) Criminal Petitions are allowed.

(2) The entire proceedings in CC No. 16828/2024 pending before the Court of II Additional Chief Judicial M. Bangalore arising out of Crime



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No.51/2024 registered by Siddapura Police Station,
Bangalore, for the aforesaid offences stands quashed
against the petitioners.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE

TSN
List No.: 1 Sl Nos.: 1 and 2