



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.NAGAPRASANNA

CRIMINAL PETITION NO. 5116 OF 2023

C/W

CRIMINAL PETITION NO. 10839 OF 2023

IN CRL.P No. 5116/2023

BETWEEN:

1. SMT. NIRMALA B. K.,
W/O LATE CRUZE BOSCO
AGED ABOUT 57 YEARS
R/AT NO.37/1, 2ND CROSS
S.G.PALYA MAIN ROAD
VENKATESHWARA LAYOUT
BENGALURU – 560 029.
2. MS. JUANITA KAJOL CRUZE
D/O LATE CRUZE BOSCO
AGED ABOUT 24 YEARS
R/AT NO.37/1, 2ND CROSS
S.G.PALYA MAIN ROAD
VENKATESHWARA LAYOUT
BENGALURU – 560 029.

...PETITIONERS

(BY SRI SUNIL KUMAR H, ADVOCATE)





AND:

1. STATE BY
ANNAPOORNESHWARI NAGAR
POLICE STATION
BENGALURU
REPRESENTED BY
SPECIAL PUBLIC PROSECUTOR
HIGH COURT OF KARNATAKA
BENGALURU – 560 001.
2. SMT. SUSHMA S.,
D/O SIDDARAMAPPA H.TALAVARA
AGED ABOUT 28 YEARS
R/AT NO.29, 5TH 'B' CROSS
8TH BLOCK, NAGARBHAVI 2ND STAGE
BENGALURU – 560 072.

...RESPONDENTS

(BY SRI B.N.JAGADESHA, ADDL. SPP FOR R1;
SRI B.N.SUNIL KUMAR, ADVOCATE FOR R2)

THIS CRL.P IS FILED U/S.482 CR.P.C PRAYING TO
QUASH THE CHARGE SHEET IN C.C.NO.39334/2022 FILED BY
THE ANNAPOORNESHWARI NAGAR POLICE FOR THE OFFENCE
U/S 498A R/W 34 OF IPC AND SEC.3 AND 4 OF D.P ACT ON
THE FILE OF THE V A.C.M.M., BANGALORE VIDE ANNEXURE-C.

IN CRL.P NO. 10839/2023

BETWEEN:

MR. NITIN NOEL CRUZE @ NITHIN C.,
@ NITHIN NOYAL CROOJ
LATE CRUZE BSCOI EKAR
AGED ABOUT 28 YEARS



NC: 2026:KHC:16822
CRL.P No. 5116 of 2023
C/W CRL.P No. 10839 of 2023

RESIDING AT NO. 37/1, 2ND CROSS
SG PALYA MAIN ROAD
VENKATESHWARA LAYOUT
BENGALURU – 560 029.

...PETITIONER

(BY SRI SUNIL KUMAR H., ADVOCATE)

AND:

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D.P. ACT, ON THE FILE OF 5TH ACMM COURT, BANGALORE



VIDE ANNEXURE-C.

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

CORAM: **HON'BLE MR. JUSTICE M.NAGAPRASANNA**

ORAL ORDER

The petitioners – accused Nos.1 to 3 in both the petitions, are husband and his family members in are before this Court calling in question proceedings in C.C.No.39334/2022, pending before the 5th Additional Chief Metropolitan Magistrate Court, Bengaluru, for the offences punishable under Sections 498A and 34 of the IPC and Sections 3 and 4 of the Dowry Prohibition Act, 1961.

2. Learned counsel for the petitioners and respondent No.2 in both the petitions, in unison submit that the parties to the *lis* have settled their matrimonial dispute amicably by drawing up certain terms and conditions. Therefore, they are before this Court seeking permission to compound the offences. They have filed memorandum of applications under Section 320 r/w. 482 of the CPC read with Section 528 the BNSS, in both the petitions, before this Court to that effect.



3. The memorandum of application filed in
Crl.P.No.5116/2023 reads as follows:

- "3. It is submitted that the respondent No. 2 has filed a petition before the Hon'ble 3rd MMTC Court at Bangalore in Crl Misc No.176/2024 seeking for maintenance, and Crl Misc No.76/2023 before 6TH Addl. Family Court at Bangalore and the respondent No. 2 agrees to withdraw both the cases filed against the petitioner,
4. It is submitted that the petitioner has filed a case seeking for divorce in MC No. 3837/2025 before the Hon'ble Family Court at Bangalore and the respondent No. 2 also agrees that she will also cooperate without any objection for the grant of decree of mutual divorce without seeking any alimony/maintenance from the petitioner.
5. It is submitted that the petitioner has returned list of items of namely:
 1. Chain
 2. Rings (Two in number)
 3. Silver Tatte and Chombu
 4. Kitchen items (complete set)
 5. Pooja Items (complete set)
 6. UPS
 7. Computer Table
 8. TV
 9. Bed and Side Table (with all accessories)

to the 2nd respondent and the 2nd respondent has also returned one gold necklace which was in the custody of the 2nd respondent.



6. It is submitted that both the parties are agreeing to withdraw the allegations against each other and they do not have any grievance, hatred, ill will against each other and both want to move forward in their life peacefully for the sake of goodness and happiness.
7. It is submitted that this Joint Memo of terms of compromise is signed without any force, coercion or threat and the same may be agreed and accepted by this Hon'ble court.

WHEREFORE, it is most respectfully prayed that this Hon'ble Court may kindly be pleased to accept the Joint Memo of terms of compromise and allow the above application in the interest of justice and equity."

In the light of the fact that the parties have arrived at settlement and since it is a marital dispute, I deem it appropriate to accept the terms as afore-quoted and terminate the proceedings against the petitioners, as the allegations are not against the State.

5. For the aforesaid reasons, I pass the following:

ORDER

- (i) The criminal petitions are disposed.
- (ii) The proceedings in C.C.No.39334/2022, pending before the 5th Additional Chief Metropolitan



Magistrate Court, Bengaluru, impugned in both the petitions, stand quashed.

Sd/-
(M.NAGAPRASANNA)
JUDGE

NVJ
List No.: 2 Sl No.: 96