IN THE HIGH COURT OF KARNATAKA,

KALABURAGI BENCH

DATED THIS THE 13TH DAY OF MAY, 2025

BEFORE

THE HON'BLE MR. JUSTICE RAJESH RAI K

CRIMINAL PETITION NO.200845 OF 2025

(482(Cr.PC)/528(BNSS))

BETWEEN:

KRISHNA REDDY S/O G. SHIVA REDDY,
AGE: 60 YEARS, OCC: GOVERNMENT EMPLOYEE,
R/O H.NO. 115, 4TH CROSS, NEAR WATER TANK,
GANESH COLONY S.N. PAT,
TQ. HAGARIBOMMANAHALLI,
DIST. BALLARI-583 101.

…PETITIONER

(BY SRI. AVINASH M. ANGADI, ADVOCATE)

AND:

Digitally signed by RENUKA
Location: HIGH COURT OF KARNATAKA

1. THE STATE OF KARNATAKA,
   THROUGH GOLGUMBAZ POLICE STATION,
   BY STATE PUBLIC PROSECUTOR,
   HIGH COURT OF KARNATAKA,
   BENCH AT KALABURAGI-585 102.

2. BHIMANNA K. HANCHANAL
   S/O KASAPPA HANCHANAL,
   AGE: 38 YEARS, OCC: SOCIAL WORKER,
   RESIDING AT SINDAGI ROAD, YOGAPUR VILLAGE,
   TQ. AND DIST. VIJAYAPURA-586 104.

…RESPONDENTS

(BY SRI. JAMADAR SHAHABUDDIN, HCGP FOR R1;
SRI. VINAY KUMAR M. SHETTY, ADV. FOR R2)

THIS CRL.P IS FILED UNDER SECTION 482 OF CR.P.C. (OLD) U/SEC 528 OF BNSS, PRAYING TO ALLOW THIS PETITION AND QUASH THE COMPLAINT AND FIR IN CRIME NO. 0047/2025 WHICH IS REGISTERED BY THE GULGUMBAZ POLICE STATION VIJAYPUR FOR OFFENCE PUNISHABLE U/SEC 115(2), 352, R/W 3(5) OF BNS-2023 AND SECTION 3(1)(r)(s) OF SC AND ST (POA) ACT 1989, PENDING ON THE FILE BEFORE THE II ADDL. DISTRICT AND SESSIONS COURT, BIJAPUR DISTRICT AND ALL FUTHER PROCEEDINGS PURSUANT TO THEREIN IN RESPECT OF THE PETITIONERS HEREIN.

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

CORAM: HON'BLE MR. JUSTICE RAJESH RAI K

ORAL ORDER

(PER: HON'BLE MR. JUSTICE RAJESH RAI K)

This petition is filed under Section 528 of BNSS, 2023 seeking to allow this petition and quash the complaint and FIR in Crime No.47/2025 against the petitioner who is arrayed as accused No.1 registered by the Golgumbaz Police Station, Vijayapur for offence punishable under Sections 115(2), 352, r/w 3(5) of BNSS-2023 and Section 3(1)(r)(s) of SC/ST (POA) Act 1989.

2. The abridged facts of the case are that respondent No.2 lodged a complaint against this petitioner and another accused i.e., accused No.2 on 02.04.2025

alleging that they both abused the defacto complainant in filthy language by mentioning his caste.

3. Learned counsel for the petitioner and learned counsel for respondent No.2 jointly submit that the parties have settled their dispute by way of compromise and as such the proceedings against this petitioner may be quashed.

4. Though the offences alleged in this proceedings are non-compoundable, however, the matter is settled between the parties. Therefore, by relying the law laid down by the Hon'ble Apex Court in the case of ***Ramagopal and Another Vs. The State of Madhya Pradesh***, reported in ***(2022) 14 SCC 531***, in the interest of justice this Court can exercise the powers under Section 482 of Cr.P.C., permitting the parties to settle the matter. In that view of the matter, further proceedings against this petitioner in Crime No.47/2025 registered by the Golgumbaz Police Station, Vijayapur for offence punishable under Sections 115(2), 352, r/w 3(5) of BNSS-2023 and

Section 3(1)(r)(s) of SC/ST (POA) Act 1989, are liable to be quashed. Accordingly, I proceed to pass the following:

ORDER

(i) The petition is allowed.

(ii) The proceedings in Crime No.47/2025 registered by the Golgumbaz Police Station, Vijayapur for offence punishable under Sections 115(2), 352, r/w 3(5) of BNSS-2023 and Section 3(1)(r)(s) of SC/ST (POA) Act 1989, in respect of accused No.1/petitioner herein are hereby quashed.

Sd/-
(RAJESH RAI K)
JUDGE

MSR
List No.: 1 Sl No.: 37
CT: AK