



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 3RD DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.NAGAPRASANNA

CRIMINAL PETITION NO.4935 OF 2025

BETWEEN:

1. K. H. MUNIYAPPA
CABINET MINISTER
AGED ABOUT 77 YEARS
GOVERNMENT OF KARNATAKA
(FOOD AND CIVIL SUPPLIES)
VIDHANA SOUDHA
BENGALURU-560 001
2. LAKSHMINARAYANA
FORMER ZILLA PANCHAYATH MEMBER
AGED ABOUT 79 YEARS
R/O. BETHAMANAGALA, KGF
KARNATAKA-563 116

...PETITIONERS

(BY SRI M. SHIVAPRAKASH, ADVOCATE)

AND:

1. STATE BY
ROBERTSONPET POLICE STATION
REPRESENTED BY
STATE PUBLIC PROSECUTOR
HIGH COURT COMPLEX
BENGALURU-560 001
2. V. SHANKAR
S/O. VENUGOPAL





AGED ABOUT 64 YEARS
R/AT S.T. BLOCK, KGF
PRESENTLY R/AT
SMITH ROAD
NEAR 5 ISLAND CIRCLE
URAGAUM, KGF-563 113

ALSO AT
R/AT NO.83, 11TH CROSS
1ST STAGE, INDIRANAGARA
BENGALURU-560 094

...RESPONDENTS

(BY SMT. WAHEEDA M. M., H.C.G.P., FOR R-1,
SRI GAUTHAM NETTAR, ADVOCATE FOR R-2)

THIS CRL.P IS FILED U/S. 482 CR.P.C. (U/S 528 BNSS)
BY THE ADVOCATE FOR THE PETITIONER PRAYING TO QUASH
THE ENTIRE PROCEEDINGS IN SPL.CC.NO.327/2025, FOR THE
OFFENCES PUNISHABLE UNDER SECTIONS 323, 341, 504 AND
506 READ WITH 34 OF IPC, UNDER SECTION 3(1)(x)
SC/ST (POA) ACT, 1989, PENDING ON THE FILE OF LXXXI
ADDITIONAL CITY CIVIL AND SESSIONS JUDGE, BENGALURU
(CCH-82), (SPECIAL COURT EXCLUSIVELY TO DEAL WITH
CRIMINAL CASES RELATED TO ELECTED FORMER AND SITTING
MPs/MLAs IN THE STATE OF KARNATAKA).

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

CORAM: HON'BLE MR. JUSTICE M.NAGAPRASANNA



ORAL ORDER

The petitioners are before the Court calling in question the proceedings in Spl.C.C.No.327/2025 registered for offences punishable under Sections 323, 341, 504 and 506 of the IPC.

2. Heard Sri M. Shivaprakash, learned counsel appearing for the petitioners and Smt. Waheeda M.M., learned HCGP appearing for respondent No.1-State and Sri Gautham Nettar, learned counsel appearing for respondent No.2-complainant.

3. An incident that takes place on 03.05.2013 results in two cases, one filed by the petitioners against the complainant and the other filed by the complainant against the petitioners. Therefore, it was a case and a counter-case.

4. In the case against the petitioners, the Police conduct investigation and file a 'B' Report. The investigation was on in the counter-case i.e. the one registered by the petitioners against the complainant. During the subsistence of investigation, the complainant-respondent herein knocks at the doors of this Court in Crl.P.No.3752/2016. The said petition comes to be allowed not on merits but recording a settlement



between the parties. The compromise entered into was on 12.09.2019 and the order passed by the co-ordinate Bench reads as follows;

" 3. It is stated that both the parties have arrived at a compromise at the intervention of the well-wishers friends and have mutually settled their disputes and in terms of the said settlement, respondent No.2 has withdrawn all the allegations made against the petitioner leading to his prosecution under Sec.323, 341, 504 and 506 of IPC.

4. It is submitted that the compromise arrived at his free and voluntary. Respondent No.2 submits that in terms of the above compromise, he has withdrawn all the allegations made against the petitioner."

5. In terms of the settlement arrived at between the parties, the sword of crime that was hanging against the complainant comes to be closed. In all fairness, the complainant in the case at hand ought to have filed the settlement before the concerned Court where, the 'B' Report had been filed and the said 'B' Report was pending consideration at the hands of that Court. What the complainant would do is a *volte face*. He would appear before the concerned Court and not file a settlement, but a protest petition to the 'B' Report so filed. The



protest petition is accepted, 'B' Report is rejected and cognizance is taken by the concerned Court notwithstanding the settlement arrived at between the parties.

6. The concerned Court records the compromise and holds that it does not specifically say which case has to be closed therefore takes cognizance of the offence. The concerned Court has, on the face of it, erred in taking cognizance of the offence notwithstanding the settlement. The settlement memo that was filed was clear that the petitioners and the complainant had mutually settled their disputes. If the foundation of the settlement was mutually settling the dispute, it cannot be that it was settling only the crime against the complainant and not the crime against the petitioners. The complainant ought to have accepted the settlement in all fairness and not filed a protest petition before the concerned Court. Therefore, on the sole score that the crime against the petitioners stood evaporated on the settlement that was arrived at mutually of all the disputes pending between them, a protest petition then filed and cognizance taken must tumble down. In that light, the petition deserves to succeed.



7. Accordingly, the following:

Order

- (i) The criminal petition is allowed.
- (ii) The entire proceedings in Spl.C.C.No.327/2025 pending on the file of the LXXXI ACC & Sessions Judge, Bengaluru (CCH-82) stands quashed.

**Sd/-
(M.NAGAPRASANNA)
JUDGE**

MV
List No.: 2 SI No.: 12