

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

DATED THIS THE 3<sup>rd</sup> DAY OF NOVEMBER, 2022

BEFORE

THE HON'BLE MR. JUSTICE K. NATARAJAN

**CRIMINAL PETITION No.9854 OF 2022**

**BETWEEN:**

MR. VASANTH ADITHYA J

...PETITIONER

(BY SRI VASANTH ADITHYA.J., PARTY-IN-PERSON)

**AND:**

1 . THE STATE OF KARNATAKA  
(AT INSTANCE OF SENIOR  
INSPECTOR OF POLICE ULSOOR  
POLICE STATION  
BENGALURU - 560 008.  
REPRESENTED BY SPP  
HIGH COURT OF KARNATAKA  
BENGALURU - 560 001.

2 .

...RESPONDENTS

(BY SRI R D RENUKARADHYA, HCGP FOR R1;  
SRI D V SENTHIL KUMAR , ADVOCATE FOR R2)

THIS CRIMINAL PETITION FILED UNDER SECTION 482 OF CR.P.C PRAYING TO QUASH FIR.No.50/2022 REGISTERED ON 07.03.2022 UNDER IPC 67 I.T ACT, 324, 341, 354, 506, 509 PENDING AT THE 1<sup>ST</sup> A.C.M.M., MAGISTRATE COURT BENGALURU REGISTERED WITH HALASURU P.S., BENGALURU ANNEXURE-A AT THE INSTANCE OF RESPONDENT No.1 AND 2 AGAINST THE PETITIONER.

THIS CRIMINAL PETITION COMING ON FOR ORDERS, THIS DAY, THE COURT MADE THE FOLLOWING:

**ORDER**

This petition is filed by the petitioner/party-in-person who is accused No.1, under Section 482 of Cr.P.C. for quashing FIR No.50 of 2022 registered on 07.03.2022 for the offences punishable under Sections 324, 341, 354, 506 and 509 and under IPC 67 IT Act by Halasuru Police Station,

Bengaluru, which is pending at the 1<sup>st</sup> ACMM Court, Bengaluru.

2. Shri D.V.Senthil Kumar, learned counsel appears for Respondent No.2 by signing the Vakalath today.

3. During the pendency of the petition, Respondent No.2 and petitioner/party-in-person appeared before the Court and filed Joint Memo of Compromise for arriving at settlement on certain terms as stated therein.

4. The petitioner/party-in-person is a practicing Advocate in Karnataka and Respondent No.2 is a final year law student. The petitioner/party-in-person and Respondent No.2 had some misunderstanding, which resulted in an unavoidable conflict. Hence, Respondent No.2 filed a complaint against the petitioner in the Bar Council of Karnataka in C.C.No.24 of 2022. The first respondent/ Police filed FIR against the petitioner under IPC 67 IT Act, 324, 341, 354, 506 and 509 in Crime No.50 of 2022. Thereafter, the petitioner and Respondent No.2 had filed a joint memo before

the Bar Council of Karnataka, and Respondent No.2 had filed an affidavit and has withdrawn the case in C.C.No.24 of 2022 filed before the Bar Council of Karnataka.

5. The petitioner had also handed over the Internship Certificate to Respondent No.2 in the open Court. The Respondent No.2 submitted that she has no objection to settle the matter with the petitioner and she had acknowledged for having received the Internship Certificate in the open Court.

6. In view of the compromise arrived at between the parties, though the alleged offences are non-compoundable, in view of the judgment in (***Gian Singh Vs. State of Punjab and another***) reported in (***2012***) ***10 SCC 303*** wherein the Supreme Court has held that the High Court must refrain from quashing criminal proceedings, if the offence involved is a heinous and serious offence or when public interest is involved. However, if the offence is merely a civil matter, offences arising from commercial transactions, where the

wrong is personal in nature and the parties have resolved their dispute, the proceedings may be quashed.

7. In view of the above, the High Court has to exercise its inherent powers in the prevailing circumstances and pass appropriate orders to secure the ends of justice or to prevent the abuse of the process of law. Hence, the Joint Memo of Compromise is accepted and I pass the following:

**ORDER**

- i) The Petition is allowed.
- ii) The criminal proceedings in FIR No.50 of 2022 registered on 07.03.2022 by Halasuru Police, Bengaluru, pending before the 1st ACMM Court, Bengaluru are hereby quashed.

**Sd/-  
JUDGE**