



CNR: KAHC020032822025

NC: 2026:KHC-D:16041
CRL.P No. 100800 of 2025

IN THE HIGH COURT OF KARNATAKA AT DHARWAD

DATED THIS THE 24TH DAY OF SEPTEMBER, 2026

**BEFORE
THE HON'BLE MR. JUSTICE VENKATESH NAIK T**

CRIMINAL PETITION NO.100800 OF 2025

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

BETWEEN:

1. SHANKAR BASAVANNEPPA DADDI
AGED ABOUT 40 YEARS, OCC: TEACHER,
R/O. BASAVESHWAR NAGAR
C BLOCK, HAVERI,
TQ. AND DIST. HAVERI-581110.
2. BASAVANNEPPA S/O. MARIBASAPPA
@ MARABASAPPA DADDI
AGED ABOUT 73 YEARS,
OCC: RETIRED PERSON,
R/O. BASAVESHWAR NAGAR
C BLOCK, HAVERI,
TQ. AND DIST. HAVERI-581110.
3. SMT. SULOCHANA W/O. BASAVANNEPPA DADDI
AGED ABOUT 50 YEARS, OCC: HOUSEWIFE,
R/O. BASAVESHWAR NAGAR
C BLOCK, HAVERI,
TQ. AND DIST. HAVERI-581110.
4. SHANKAR
S/O. BASANAGOUDA KUDAPALI @ KUPPELUR
AGED ABOUT 39 YEARS, OCC: TEACHER,
R/O. KUDAPALI, TQ. RATTIHALLI,
DIST. HAVERI-581116.
5. SHIVU @ SHIVARAJ NAGAPPA DADDI
AGED ABOUT 50 YEARS, OCC: HOUSEWIFE,

CHANDRASHEKAR
LAXMAN
KATTIMANI

Location: HIGH
COURT OF
KARNATAKA
Date: 2026.09.25
16:40:08 +0530



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R/O. BELAGAVI TQ. SAVANUR,
DIST: HAVERI-581118.

... PETITIONERS

(BY SRI. VIDYASHANKAR G. DALWAI, ADVOCATE)

AND:

1. STATE OF KARNATAKA
REPRESENTED BY ITS PUBLIC PROSECUTOR,
HIGH COURT BUILDING, DHARWAD
THROUGH WOMEN PS,
HAVERI, DIST: HAVERI-581110.
2. SMT. SUNITA W/O. SHANKAR DADDI
AGED ABOUT 34 YEARS, OCC: HOUSEWIFE,
R/O. BASAVESHWAR NAGAR
C BLOCK, HAVERI
TQ. AND DIST: HAVERI-581110.

... RESPONDENTS

(BY SRI PRAVEENA Y. DEVAREDDIYAVAR, HCGP FOR R1,
SRI RAGHAVENDRA A. PUROHIT, ADVOCATE FOR R2)

THIS CRIMINAL PETITION IS FILED U/S. 482 OF CR.P.C. 528 OF BNSS, 2023, PRAYING TO QUASH THE ENTIRE CRIMINAL PROCEEDINGS INITIATED AGAINST THE PETITIONERS/ACCUSED NOS.1 TO 3, 6 AND 8 IN SC NO.111/2023 (HAVERI WOMAN P.S. IN CRIME NO.0068/2022) FOR THE OFFENCES PUNISHABLE UNDER SECTIONS 143, 147, 376(2)(N), 420, 323, 504, 506 R/W 149 OF IPC, PENDING ON THE FILE OF THE PRL.DISTRICT AND SESSIONS COURT AND FTSC-I, HAVERI IN THE INTEREST OF JUSTICE AND EQUITY.

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



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ORAL ORDER

PER: HON'BLE MR. JUSTICE VENKATESH NAIK T

Heard Sri.Vidyashankar G.Dalawai, learned counsel for the petitioners, Sri.Praveena Y.Devareddiyavar., learned High Court Government Pleader for respondent No.1–State and Sri.Raghavendra A.Purohit., learned counsel for respondent No.2. The petitioners and *de facto* complainant are present.

2. The petitioners/accused Nos.1 to 3, 6 and 8 have filed the present petition under Section 482 of the Code of Criminal Procedure (for short 'Cr.P.C.') seeking to quash the entire proceedings in S.C.No.111/2023, pending on the file of the learned Principal District and Sessions Court, FTSC-I, Haveri arising out of Crime No.68/2022 of Haveri Woman Police Station registered for offences punishable under Sections 143, 147, 376(2)(n), 420, 323, 504 and 506 read with Section 149 of the Indian Penal Code, 1860 (for short 'IPC'). Now, the petitioners and *de facto* complainant have amicably resolved their disputes.



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3. In view of settlement arrived at between the parties, the petitioners and respondent No.2-*de facto* complainant have filed a compromise petition under Section 359 of BNSS, 2023 for compounding of offences alleged against the petitioners. The contents of compromise petition read as under:

"The Petitioners and 2nd Respondent humbly submits as follows:-

1. The Respondent No. 2/ Complainant lodged a complaint against the above the petitioners with false allegations. Based on complaint, the respondent police have registered FIR on the same day in Crime No. 0068/2022 for the offences pun'shable under sections 376(N), 420, 323, 324, 504, 506 R/w 34 of IPC. Further, the respondent No. 1 police has drop out the charge sheet against the accused Nos. 4, 5, 7 & 9 and filed the charge sheet against the petitioners.

2. Based on the aforesaid charge sheet the sessions court has taken cognizance against the petitioners for the aforesaid offences and registered C.C. No. 18472/2023 and further it was committed as S.C. No. 111/2023 pending on the file of Additional District and Sessions Judge, FTSC-I, Haveri.

. It is submitted that due to intervention of well-whishes of both parties, today without any force or coercion or pressure of others, voluntarily the 2nd respondent appeared by his advocate due to settled the matter out of court stating that, the allegations. 1

made in the complaint are false and not true the 20 respondent is ready to withdraw her complaint. There is



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no any pressure from anybody and it is his own decision to withdraw the case against petitioners herein.

4. Wherefore it is humbly prayed that, due to above said COMPROMISE between petitioners and 2nd respondent herein, please to accept compromise between the parties and be please to quash entire criminal proceedings registered in S.C. No. 111/2023 (Crime No. 68/2022 Haveri Women PS) pending on the file of Additional District and Sessions Judge, FTSC-I, Haveri for the offences punishable under sections 376(N), 420, 323, 324, 504, 506 R/w 34 of IPC in so far as the petitioners are concerned in the interest of justice and equity. "

4. In support of the compromise petition, the petitioners as well as the *de facto* complainant filed their affidavits. The contents of Affidavits reads as under;

"Herein I Sunita W/o Shankar Daddi, Aged about 39 years, Occ: Housewife, R/o: Basaveshwar Nagar C Block, Haveri, Tq & Dist: Haveri 581110, today at Dharwad, do hereby solemnly affirm and state as follows:-

1) I am 2nd respondent in the above said criminal petition. I know the facts of the case. Hence I am swearing this affidavit.

2) I state that, I filed the complaint against the petitioners before Haveri Women PS. Based on the above complaint, the respondent police have registered FIR on the same day in Crime No. 0068/2022 for the offences punishable under sections 376(N), 420, 323, 324, 504, 506 R/w 34 of IPC. Further, the respondent No. 1 police has drop out the charge sheet against the accused Nos. 4, 5, 7 & 9 and filed the charge sheet against the petitioners.

3) Based on the aforesaid charge sheet the Sessions Court has taken cognizance against the petitioners for the



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aforesaid offences and registered C.C. No. 18472/2023 and further it was committed as S.C. No. 111/2023 pending on the file of Additional District and Sessions Judge, FTSC-I, Haveri

4) I state that the grounds urged in the accompanying compromise petition may kindly be read as part and parcel of this affidavit.

5) I state that para No. 1 to 4 of Compromise petition are true and correct of my knowledge and belief, true and correct. It is my own decision to withdraw the case against the petitioners without any pressure.

WHEREFORE this Hon'ble High Court is please to allow the accompanying application and quash entire criminal proceedings in S.C. No. 111/2023 (Crime No. 68/2022 Haveri Women PS) pending on the file of Additional District and Sessions Judge, FTSC-I, Haveri for the offences punishable under sections 376(N), 420, 323, 324, 504, 506 R/w 34 of IPC in so far as the petitioners are concerned in the interest of justice.

5. Learned counsels for the petitioners, respondent No.2 and learned HCGP for respondent No.1-State are present and submit that, in view of the compromise arrived at between the parties, the Court may accept the compromise petition and quash the proceedings.

6. Perused the material available on record.

7. Perused the complaint, charge-sheet and compromise petition. The allegations made in the complaint



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clearly shows that there was a dispute between the complainant and the petitioner/accused persons and the same is settled as per the advice of the elders of both family without any compulsion or coercion. Therefore, continuation of the prosecution against the petitioners is not at all necessary and that would be nothing but an abuse of process of law. Since, the alleged offences are non-compoundable in nature, the accused persons prayed to quash the entire proceedings and permit to compound the offences. As the matter is settled between the parties, it is just and necessary to invoke Section 482 of Cr.P.C. to quash the entire proceedings.

8. The Hon'ble Supreme Court in the case of ***Narinder Singh & Ors vs State Of Punjab & Anr*** reported in ***(2014) 6 SCC 466*** at Para Nos.31 to 35 has held as under:

"31. In view of the aforesaid discussion, we sum up and lay down the following principles by which the High Court would be guided in giving adequate treatment to the settlement between the parties and exercising its power under Section



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482 of the Code while accepting the settlement and quashing the proceedings or refusing to accept the settlement with direction to continue with the criminal proceedings:

(I) Power conferred under Section 482 of the Code is to be distinguished from the power which lies in the Court to compound the offences under Section 320 of the Code. No doubt, under Section 482 of the Code, the High Court has inherent power to quash the criminal proceedings even in those cases which are not compoundable, where the parties have settled the matter between themselves. However, this power is to be exercised sparingly and with caution.

(II) When the parties have reached the settlement and on that basis petition for quashing the criminal proceedings is filed, the guiding factor in such cases would be to secure:

(i) ends of justice, or

(ii) to prevent abuse of the process of any Court.

While exercising the power the High Court is to form an opinion on either of the aforesaid two objectives.

(III) Such a power is not be exercised in those prosecutions which involve heinous and serious offences of mental depravity or offences like murder, rape, dacoity, etc. Such offences are not private in nature and have a serious impact on society. Similarly, for offences alleged to have been committed under special statute like the Prevention of Corruption Act or the offences committed by Public Servants while working in that capacity are not to be quashed merely on the basis of compromise between the victim and the offender.

(IV) On the other, those criminal cases having overwhelmingly and pre-dominantly civil character, particularly those arising out of



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commercial transactions or arising out of matrimonial relationship or family disputes should be quashed when the parties have resolved their entire disputes among themselves.

(V) While exercising its powers, the High Court is to examine as to whether the possibility of conviction is remote and bleak and continuation of criminal cases would put the accused to great oppression and prejudice and extreme injustice would be caused to him by not quashing the criminal cases.

(VI) Offences under Section 307 IPC would fall in the category of heinous and serious offences and therefore is to be generally treated as crime against the society and not against the individual alone. However, the High Court would not rest its decision merely because there is a mention of Section 307 IPC in the FIR or the charge is framed under this provision. It would be open to the High Court to examine as to whether incorporation of Section 307 IPC is there for the sake of it or the prosecution has collected sufficient evidence, which if proved, would lead to proving the charge under Section 307 IPC. For this purpose, it would be open to the High Court to go by the nature of injury sustained, whether such injury is inflicted on the vital/delegate parts of the body, nature of weapons used etc. Medical report in respect of injuries suffered by the victim can generally be the guiding factor. On the basis of this prima facie analysis, the High Court can examine as to whether there is a strong possibility of conviction or the chances of conviction are remote and bleak. In the former case it can refuse to accept the settlement and quash the criminal proceedings whereas in the later case it would be permissible for the High Court to accept the plea compounding the offence based on complete settlement between the parties. At this stage, the Court can also be swayed by the fact that the settlement between



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the parties is going to result in harmony between them which may improve their future relationship.

(VII) While deciding whether to exercise its power under Section 482 of the Code or not, timings of settlement play a crucial role. Those cases where the settlement is arrived at immediately after the alleged commission of offence and the matter is still under investigation, the High Court may be liberal in accepting the settlement to quash the criminal proceedings/investigation. It is because of the reason that at this stage the investigation is still on and even the charge sheet has not been filed. Likewise, those cases where the charge is framed but the evidence is yet to start or the evidence is still at infancy stage, the High Court can show benevolence in exercising its powers favourably, but after prima facie assessment of the circumstances/material mentioned above. On the other hand, where the prosecution evidence is almost complete or after the conclusion of the evidence the matter is at the stage of argument, normally the High Court should refrain from exercising its power under Section 482 of the Code, as in such cases the trial court would be in a position to decide the case finally on merits and to come a conclusion as to whether the offence under Section 307 IPC is committed or not. Similarly, in those cases where the conviction is already recorded by the trial court and the matter is at the appellate stage before the High Court, mere compromise between the parties would not be a ground to accept the same resulting in acquittal of the offender who has already been convicted by the trial court. Here charge is proved under Section 307 IPC and conviction is already recorded of a heinous crime and, therefore, there is no question of sparing a convict found guilty of such a crime.

32. After having clarified the legal position in the manner aforesaid, we proceed to discuss the case at hand.



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33. *In the present case, FIR No.121 dated 14.7.2010 was registered under Sections 307, 324, 323, 34 IPC. Investigation was completed, whereafter challan was presented in the court against the petitioner herein. Charges have also been framed; the case is at the stage of recording of evidence. At this juncture, parties entered into compromise on the basis of which petition under Section 482 of the Code was filed by the petitioners namely the accused persons for quashing of the criminal proceedings under the said FIR. As per the copy of the settlement which was annexed along with the petition, the compromise took place between the parties on 12.7.2013 when respectable members of the Gram Panchayat held a meeting under the Chairmanship of Sarpanch. It is stated that on the intervention of the said persons/Panchayat, both the parties were agreed for compromise and have also decided to live with peace in future with each other. It was argued that since the parties have decided to keep harmony between the parties so that in future they are able to live with peace and love and they are the residents of the same village, the High Court should have accepted the said compromise and quash the proceedings.*

34. *We find from the impugned order that the sole reason which weighed with the High Court in refusing to accept the settlement between the parties was the nature of injuries. If we go by that factor alone, normally we would tend to agree with the High Court's approach. However, as pointed out hereinafter, some other attendant and inseparable circumstances also need to be kept in mind which compel us to take a different view.*

35. *We have gone through the FIR as well which was recorded on the basis of statement of the complainant/victim. It gives an indication that the complainant was attacked allegedly by the accused persons because of some previous dispute between the parties, though nature of*



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dispute etc. is not stated in detail. However, a very pertinent statement appears on record viz., "respectable persons have been trying for a compromise up till now, which could not be finalized". This becomes an important aspect. It appears that there have been some disputes which led to the aforesaid purported attack by the accused on the complainant. In this context when we find that the elders of the village, including Sarpanch, intervened in the matter and the parties have not only buried their hatchet but have decided to live peacefully in future, this becomes an important consideration. The evidence is yet to be led in the Court. It has not even started. In view of compromise between parties, there is a minimal chance of the witnesses coming forward in support of the prosecution case. Even though nature of injuries can still be established by producing the doctor as witness who conducted medical examination, it may become difficult to prove as to who caused these injuries. The chances of conviction, therefore, appear to be remote. It would, therefore, be unnecessary to drag these proceedings. We, taking all these factors into consideration cumulatively, are of the opinion that the compromise between the parties be accepted and the criminal proceedings arising out of FIR No.121 dated 14.7.2010 registered with Police Station LOPOKE, District Amritsar Rural be quashed. We order accordingly."

9. The learned counsel for petitioners also relied upon the judgment of co-ordinate Bench in Criminal Petition No.102688/2025 (Dharwad Bench) disposed on 14.10.2025, wherein, the co-ordinate bench at para-5 held as under:



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"In view of the said settlement, the proceedings against the petitioner in S.C.No.42/2024 pending on the file of the Principal District and Sessions Judge, Gadag registered for the offence punishable under Section 306 of IPC are quashed."

10. On perusal of the aforesaid decision, judgment of co-ordinate bench and the facts and circumstances and the material available on record, it appears that respondent No.2 had filed the case against the petitioners with misconception of facts and in a fit of anger. Now respondent No.2 has realized her mistake and she is intending to take back her case registered against the petitioners on the advice of elders of both the family as they are relatives. In this context, the Court finds that, the elders of the village and their family intervened in the matter and parties have settled their disputes and have decided to live peacefully in future. This becomes an important consideration.

11. In view of the compromise held between the parties, further investigation of the case would not be arise



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and in case if investigation is completed and charge-sheet is filed, even at that juncture also, there is a minimal chance of the witnesses coming forward in support of the prosecution case. Even though the role attributed to the accused persons is not clear and the *de-facto* complainant has not stated in clear terms that there was direct nexus to the accused persons. Thus, the chances of conviction, therefore, appear to be very remote. It would, therefore, be unnecessary to drag these proceedings. When the Court takes all these factors into consideration cumulatively, the Court is of the opinion that the compromise between the parties be accepted and the criminal proceedings initiated against the accused persons are liable to be quashed.

12. Hence, the compromise petition is accepted. In view of the settlement arrived at between the parties and in view of the ratio laid down in the above decisions cited *supra*, it is necessary to permit the parties to quash the proceedings against the petitioners. Hence, the Court proceeds to pass the following:



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ORDER

The criminal petition is ***allowed***.

The criminal proceedings pending in S.C.No.111/2023, pending on the file of learned Principal District and Sessions Court and FTSC-I, Haveri arising out of Crime No.68/2022 of Haveri Woman Police Station registered for offences punishable under Sections 143, 147, 376(2)(n), 420, 323, 504 and 506 read with Section 149 of the Indian Penal Code, 1860 is hereby quashed.

Pending I.A.s, if any, stand disposed of as they do not survive for consideration.

**Sd/-
(VENKATESH NAIK T)
JUDGE**

AM/-
CT:GSM
LIST NO.: 1 SL NO.: 149