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Jackson John vs State by

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Court : Karnataka Orders

Decided On : Mar-03-2025

Judge : Hemant Chandangoudar

Appeal No. : CRL.P/2898/2025

Appellant : Jackson John

Respondent : State by

Judgement :

-1-

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 3RD DAY OF MARCH, 2025 BEFORE THE HON'BLE MR JUSTICE HEMANT CHANDANGOUDAR CRIMINAL PETITION NO. 2898 OF 2025 BETWEEN:

1. JACKSON JOHN, S/O MR. M.C. JOHN,

AGED ABOUT 41 YEARS, RESIDING AT MATTAMPARAMBIL HOUSE, BELATHUR COLONY, OPPOSITE BELATHUR, GOVERNMENT JUNIOR COLLEGE, BENGALURU - 560 067. PETITIONER (BY MR. JOE JOSEPH.,ADVOCATE) AND:

1. STATE BY WHITEFIELD P.S

WHITEFIELD SUB-DIVISION BANGALORE, REP BY SPP HIGH COURT BUILDING Digitally signed by B K BENGALURU-01. MAHENDRAKUMAR Location: HIGH COURT OF KARNATAKA 2. MEGHANN JACKSON, W/O JACKSON JOHN, AGED ABOUT 36 YEARS, RESIDING AT F.F.-38, BLOCK-B, SOWPARNIKA SANVI PHASE I, VIJAYNAGAR 5TH CROSS, OFF: AMBEDKARNAGAR ROAD, WHITEFIELD, BENGALURU-560 066. AND ALSO RESIDING AT FLAT NO.203, LANSUM SARVA VIJAYA, PLOT NO.71, GAUTAMI ENCLAVE, KONDAPUR, HYDERABAD-500 084. RESPONDENTS -2- (BY MR. RAHUL RAI, HCGP FOR R1; MR. N KUMAR., ADVOCATE FOR R2) THIS CRL.P IS FILED U/S 482 CR.PC (FILED U/S 528 BNSS) BY THE ADVOCATE FOR THE PETITIONER PRAYING THAT THIS HONOURABLE COURT MAY BE PLEASED TO ALLOW THIS PETITION, BY QUASHING THE ENTIRE PROCEEDINGS IN C.C.NO.14791/2020 PENDING ON THE FILE OF 1ST ADDL. CJM, BANGALORE RURAL, BANGLAORE FOR THE OFFENCE P/U/S 498A, 506 OF IPC. THIS PETITION, COMING ON FOR ORDERS, THIS DAY,

ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR JUSTICE HEMANT CHANDANGOUDAR

ORAL ORDER

Petitioner-accused who is charge sheeted for the offences punishable under Sections 498A, 506 of IPC is before this Court seeking relief.

2. The 2 nd respondent lodged the FIR alleging that, accused No.1 husband, subjected the 2 nd respondent-defacto complainant to cruelty, both mentally and physically, and also threatened her with dire consequences.

3. The parties are present before this Court and have

filed an application for compounding of offences, stating that they have amicably resolved the dispute among themselves. The respondent No.2-informant has reunited with her husband and leading a cordial marital life and further she has no objections for quashing the impugned proceedings against the petitioner herein. -3-

4. The said application along with affidavit is placed on record.

5. Though the offences alleged are cognizable and non-compoundable, however, having regard to the fact that, the parties have amicably resolved the dispute among themselves, it would be a futile exercise to subject the

petitioner-accused to trial, since the probability of the conviction of the petitioner-accused is remote and bleak in view of the settlement. Therefore, the continuation of the criminal proceedings will be an abuse of the process of law.

6. Accordingly, I pass the following:

ORDER

i) The Criminal Petition is allowed; ii) The impugned proceedings in C.C.No.14791/2020 on the file of the 1st Additional Chief Judicial Magistrate, Bangalore Rural, Bangalore, insofar it relates to the petitioner herein is hereby quashed. Sd/- (HEMANT CHANDANGOUDAR) JUDGE HR List No.: 2 Sl No.: 3

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