

Vikranth vs State of Karnataka

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Court : Karnataka

Decided On : May-29-2025

Judge : Suraj Govindaraj

Appeal No. : WP/14903/2025

Appellant : Vikranth

Respondent : State of Karnataka

Judgement :

-1-

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF MAY, 2025 BEFORE THE HON'BLE
MR JUSTICE SURAJ GOVINDARAJ WRIT PETITION NO. 14903 OF
2025 (GM-RES) BETWEEN:

1. VIKRANTH, S/O VIJAY KUMAR AGED ABOUT 28 YEARS 2-115/2,
GANESH KRUPA, MALLIKARJUNA COLLEGE ROAD,
JAPPINAMOGARU, MANGLAORE, DK-575007, PETITIONER (BY SRI.
VISHNU SHARMA B V.,ADVOCATE) AND:

1. STATE OF KARNATAKA

ULLAL POLICE STATION MANGALORE-575020 REPRESENTED BY: Digitally signed STATE PUBLIC PROSECUTOR, by SHWETHA HIGH COURT BUILDING, BANGALORE-560 001 RAGHAVENDRA Location: HIGH 2. HEMANTH COURT OF S/O GURUVAPPA POOJARY KARNATAKA AGED ABOUT 23 YEARS 4-183/3 TODDAL, GANDI PARMANNURU VILLAGE, MANGALORE, DK 575017 RESPONDENTS (BY SRI.RAJAT SUBRAMANYAN., HCGP FOR R1., SRI.VIKAS M., ADVOCATE FOR R2.) THIS WP IS FILED UNDER SECTION 320 R/W 528 OF BNSS 2023 PRAYING TO PERMIT THE ABOVE-NAMED PETITIONER AND THE RESPONDENT NO.2/COMPLAINANT TO -2- COMPOUND AND COMPROMISE THE ABOVE CASE IN THE INTEREST OF JUSTICE. THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER: CORAM: HON'BLE MR JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. The petitioner is before this Court, seeking for the following reliefs: "WHEREFORE, this Hon'ble Court be pleaded to

(i) Issue writ of certiorari or any other

appropriate writ or order quashing entire proceedings in C.C.No.372 of 2021 on the file of the Court of JMFC (VII Court) at Mangaluru, for the offence punishable under Sections 143, 147, 148, 324, 504, 506 and 149 of IPC insofar as petitioner as per Annexure-A.

(ii) Issue any other writ or order or direction that deems fit to grants in the circumstances of the case in the interest of justice and equity.

2. An application under Section 320 read with Section

528 of the BNS Act, 2023 has been filed by the petitioner and respondent No.2-complainant. The joint affidavit has also been filed, which read as under: "JOINT AFFIDAVIT I, VIKRANTH, S/o Vijay Kumar, aged about 28 years, 2-115/2, Ganesh Krupa, -3-

Mallikarjuna College Road, Jappinamogaru, Mangalore, DK-575007, today at Bengaluru, the ACCUSED/PETITIONER. AND I, HEMANTH, S/o Guruvappa Poojary, aged about 23 years, 4-183/3 Toddal, Gandhi Parmannuru Village, Mangalore, DK 575017, today at Bengaluru, the COMPLAINANT/ RESPONDENT No. 2, do hereby declare and state as follows.

1. The Petitioner and Complainant/ Respondent No.2 are of the same village and also friends.

2. Based on the complaint dated 13.07.2020,

the Jurisdictional Police registered FIR in Crime No.89 of 2020 for the offence punishable under Section 143, 147, 148, 324, 504, 506 and 149 of IPC. The jurisdictional police after investigation has filed charge sheet for the offence punishable under Section 143, 147, 148, 324, 504, 506 and 149 of IPC. Thereafter, the Trial Court proceeded to register criminal case proceedings in CC. No. Court at Mangalore.

3. That the Petitioner in the above case and Complainant/Respondent No.2 have compromised and settled their dispute due to the intervention of the relatives, well-wishers and friends.

4. The Respondent No.2 submits that he has

agreed to co-operate in quashing of the entire proceedings in CC. No. 372 of 2021 on file of the court of VII JMFC Court at Mangalore, for the offence punishable under section 143, 147, 148, 324, 504, 506 and 149 of IPC and has no objections to quash the said proceedings. -4-

5. In view of the settlement, we pray for

quashing of the entire proceedings in CC. No. Court at Mangalore, for the offence punishable under section 143, 147, 148, 324, 504, 506 and 149 of IPC and has no objections to quash the said proceedings.

6. We state that all the above stated averments contained in this affidavit are all true and correct to the best of our knowledge information and belief and nothing is concealed therefrom."

3. Considering that the petitioner and respondent No.2

are residents of the same village and they claim that the offence alleged has taken place on account of certain misunderstanding, the said joint affidavit is accepted and I pass the following:

ORDER

The writ petition is allowed. A writ of certiorari is issued proceeding in C.C.No.372/2021 pending on the file of the JMFC (VII Court) at Mangaluru is hereby quashed. SD/- (SURAJ GOVINDARAJ) JUDGE CPN

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