



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

**DATED THIS THE 25<sup>TH</sup> DAY OF JUNE, 2024**

**BEFORE**

**THE HON'BLE MR JUSTICE N S SANJAY GOWDA**

**CRIMINAL PETITION NO. 4308 OF 2017**

**BETWEEN:**

1. MONICA  
D/O. K. H. SHIVANNA,  
AGED ABOUT 24 YEARS,

2. SINDHU  
D/O. K.H SHIVANNA,  
AGED ABOUT 22 YEARS,

R/AT NO. 53/8,  
OPP. POORVIKA MOBILE,  
KAMAKSHIPALYA,  
MAGADI MAIN ROAD,  
BANGALORE - 560 079.

...PETITIONERS

(BY SRI. HARISH B.S., ADVOCATE FOR  
SRI. SHIVANNA B., ADVOCATE)

**AND:**

1. STATE BY KAMAKSHIPALYA PS ,  
VIJAYANAGAR SUB DIVISION,  
BANGALORE CITY.  
REPRESENTED BY SPP  
HIGH COURT OF KARNATAKA  
BENGALURU- 01.

2. SRI. K H SHIVANNA  
S/O. LATE. D. HONNAIAH,  
AGED ABOUT 49 YEARS,  
R/AT NO . 53/8,  
OPP. POORVIKA MOBILE,





KAMAKSHIPALYA,  
MAGADI MAIN ROAD,  
BANGALORE – 560 079.

...RESPONDENTS

(BY SMT. N. ANITHA GIRISH., HCGP FOR R-1,  
SRI. P.M. NARYANA SWAMY., ADVOCATE FOR R-2)

THIS CRL.P FILED UNDER SECTION 482 CR.P.C BY THE ADVOCATE FOR THE PETITIONER PRAYING THAT THIS HON'BLE COURT MAY BE PLEASED TO QUASH THE ENTIRE PROCEEDINGS PENDING ON THE FILE OF THE V ACMM, BANGALORE IN CR.NO.753/2015 DATED 10.12.2015 REGISTERED BY THE RESPONDENT NO.1 UNDER SECTION 506, 504, 448 READ WITH 34 OF IPC.

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

**ORDER**

1. This petition is presented challenging the initiation of criminal proceedings against petitioners for the offences punishable under Section 506, 504, 448 r/w Section 34 of the IPC.
2. Learned counsel for the respondents submits that after the investigation, a chargesheet has also been laid against the petitioners.
3. The petitioners are none other than the daughters of the complainant-the second respondent. The complaint



indicates that the father alleged that the daughters had accosted him and had a confrontation with him, which, according to the father, amounted to criminal offence.

4. Today, affidavits are filed by both daughters i.e., the petitioners, stating that they would not do any such act which would constitute an offence against their father, and would also not do any act which would result in a breach of peace in the premises bearing No.53/8, Kamakshipalya, Magadi Main Road, where the father resides. It is also stated on oath that the daughters had approached the Civil Court seeking a partition in O.S.No.4586/2017 and they have undertaken that they would resolve the litigation between themselves, their father and other family members in accordance with law.

5. In my view, in the light of these affidavits filed by the daughters, and taking on record their statement that they would not in any way disturb or confront their father, the petition is allowed and the proceedings shall stand



quashed. The proceedings are quashed having regard to the fact that the dispute is essentially a family dispute and has spilled over on the criminal side. This Petition is accordingly ***allowed***.

**Sd/-  
JUDGE**

GSR  
List No.: 1 Sl No.: 14