



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF AUGUST, 2025

BEFORE

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

CRIMINAL PETITION NO.12352 OF 2025

C/W

CRIMINAL PETITION NO.6267 OF 2025

IN CRL.P NO. 12352/2025

BETWEEN:

SRI VIKAS KUMAR S J
S/O SRI JAGADISH KUMAR S H
AGED ABOUT 25 YEARS
R/AT NO.1832, 19TH CROSS
ANAJANEYA BADAVANE
DAVANGERE
KARNATAKA – 577006



...PETITIONER

(BY SRI DILIPKUMARGOWDA R, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
THROUGH BYAPPANAHLI PS
REPRESENTED BY SPP
HIGH COURT OF KARNATAKA BUILDING
BENGALURU – 560001



2. SMT MADHUMITA DUTTA
AGED ABOUT 37 YEARS
R/AT E-7/2, DRDO,
PHASE-1, TOWNSHIP,
C.V. RAMAN NAGAR
BENGALURU CITY
KARNATAKA

...RESPONDENTS

(BY SRI M R PATIL, HCGP FOR R1;
SRI SUYOG HERELE, ADVOCATE FOR R2)

THIS CRL.P IS FILED U/S 528 OF BNSS PRAYING TO
QUASH THE ENTIRE PROCEEDINGS IN CRIME NO.86/2025
PENDING ON THE FILE OF THE LEARNED 10TH ADDL. CMM
COURT, MAYOHALL, BANGALORE CITY INCLUDING THE FIR
AND COMPLAINT IN CRIME NO.86/2025 REGISTERED WITH
THE RESPONDENT BYAPPANAHALLI PS FOR THE OFFENCES
P/U/S 115(2), 116(H), 117(1), 118(1), 126(2), 3(5), 324, 351,
352 OF BNS 2023 PRODUCED AT DOCUMENT NO.1 AND 2 AND
ETC.

IN CRL.P NO.6267/2025

BETWEEN:

SRI. SHILADITYA BOSE
S/O PRATAP KANTI BOSE,
AGED ABOUT 38 YEARS,
4/47, GARLA 3RD LANE,
YUVA SAMPRADAY PLAYGROUND,
JADAVPUR, SANTOSHPUR,
KOLKATA,
WEST BENGAL - 700075

...PETITIONER

(BY SRI SUYOG HERELE, ADVOCATE)



AND:

1. THE STATE OF KARNATAKA
THROUGH BYAPPANAHALLI P S,
REPRESENTED BY SPP,
HIGH COURT OF KARNATAKA BUILDING
BENGALURU- 560001.
2. SRI. VIKAS KUMAR S J
AGED ABOUT 26 YEARS,
R/AT NO-5, 1ST MAIN,
1ST CROSS, BALAJI LAYOUT,
BABUSAPALYA, BENGALURU CITY,
KARNATAKA- 560043

...RESPONDENTS

(BY SRI M R PATIL, HCGP FOR R1;
SRI DILEEP KUMAR GOUDA, ADVOCATE FOR R2)

THIS CRL.P IS FILED U/S 528 OF BNSS PRAYING TO
QUASH THE ENTIRE PROCEEDINGS IN CR.NO.87/2025,
PENDING ON THE FILE OF LEARNED 10TH ACMM COURT,
MAYAHALL, INCLUDING THE FIR AND COMPLAINT IN
CR.NO.87/2025 REGISTERED WITH THE RESPONDENT
BYAPPANAHALLI P.S., FOR THE OFFENCES P/U/S 109,
115(2), 304, 324, 351, 352 OF BNS, 2023, PRODUCED AT
DOCUMENT NO.1 AND 2 AND ETC.

THESE PETITIONS, COMING ON FOR ORDERS, THIS DAY,
ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM



ORAL ORDER

The petitioner in Crl.P.No.12352/2025 is seeking for quashing of the proceedings pending in Crime No.86/2025 for the offences punishable under Sections 115(2), 116(h), 117(1), 118(1), 126(2), 3(5), 324, 351 and 352 of BNS, 2023.

2. The petitioner in Crl.P.No.6267/2025 is seeking for quashing of the proceedings pending in Crime No.87/2025 for the offences punishable under Sections 109, 115(2), 304, 324, 351 and 352 of BNS, 2023.

3. The accused, who has filed a petition seeking quashing of the proceedings in Crime No.86/2025, is present before this Court. The complainant in Crime No.87/2025 is also present and, on being specifically queried, acknowledges that the incident in question arose out of a road rage, resulting only in verbal exchanges between the parties. He categorically states that except for the said verbal altercation, no physical assault took place. Respondent No.2/complainant in Criminal Petition No.6267/2025 further submits that he has not sustained any injuries in the alleged incident and is inclined to



put an end to the dispute. He therefore expresses his no-objection to quashing of the proceedings.

4. Likewise, in Criminal Petition No.12352/2025, where the wife is the complainant, respondent No.2/complainant is present before this Court and confirms that the quarrel too arose out of a road rage incident and was purely verbal in nature. She further states that, with the intervention of well-wishers, the matter has been amicably resolved and she has decided to withdraw all allegations made in her complaint. She also affirms that she has not suffered any injuries in the said incident and therefore has no objection to the proceedings being quashed.

5. On consideration of the affidavits filed by the parties in both petitions, it is noticed that though the accused in Crime No.87/2025 is alleged to have committed an offence under Section 109 of the Bharatiya Nyaya Sanhita, 2023, which is otherwise non-compoundable, the presence of the complainant before this Court and his voluntary statement that no injuries were sustained, coupled with his willingness to give a quietus to the dispute, persuade this Court to exercise its



inherent jurisdiction. Continuation of proceedings in such circumstances would serve no fruitful purpose and would amount to an abuse of the process of law.

6. This Court has also kept in mind the fact that one of the accused is a serving Air Force Officer, who would otherwise be compelled to face criminal proceedings for the aforesaid offences despite the matter being trivial and settled. Having regard to the statements of the complainants, the voluntary withdrawal of allegations, and the absence of any injury, this Court is satisfied that both petitions deserve to be allowed. However, it is made clear that both parties are strictly warned not to indulge in such incidents in future.

7. Accordingly, both petitions are allowed. The proceedings in Crime Nos.87/2025 and 86/2025 are hereby quashed.

Sd/-
(SACHIN SHANKAR MAGADUM)
JUDGE

SN
List No.: 2 SI No.: 49