



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF MAY, 2025

BEFORE

THE HON'BLE MR JUSTICE SURAJ GOVINDARAJ

CRIMINAL PETITION NO. 7221 OF 2025

BETWEEN:

1. MOHAMMED SHABAZ ALAM,
S/O. MOHAMMED GHOUSE ALIAS DAULATH
AGED ABOUT 31 YEARS,
NO.410, 13TH CROSS,
ALSHIAF MEDICAL OPPOSITE,
ILIJAZ NAGAR, BANASHANKARI,
BENGALURU CITY-560070, KARNATAKA.
2. SYEDA ALMAS BANU
W/O. MOHAMMED GHOUSE ALIAS DAULATH,
AGED ABOUT 65 YEARS,
NO.410, 13TH CROSS
ALSHIAF MEDICAL OPPOSITE,
ILIJAZ NAGAR, BANASHANKARI,
BENGALURU CITY-560070, KARNATAKA.
3. MOHAMMED YAHEYA
S/O. MOHAMMED GHOUSE ALIAS DAULATH
AGED ABOUT 25 YEARS,
NO.410, 13TH CROSS
ALSHIAF MEDICAL OPPOSITE,
ILIJAZ NAGAR, BANASHANKARI,
BENGALURU CITY-560070, KARNATAKA.



...PETITIONERS

(BY SRI. KALEEM SABIR., ADVOCATE)



AND:

1. STATE OF KARNATAKA
BY J. C. NAGAR PS
BENGALURU CITY-560046
REP BY THE LEARNED STATE PUBLIC PROSECUTOR
HIGH COURT OF KARNATAKA
BANGALORE-560001
2. UMME HUDA
W/O. MOHAMMED SHABAZ ALAM
AGED 19 YEARS,
NO. 92, MRR LANE,
KALASIPALYA,
BENGALURU CITY, KARNATAKA-560002.

...RESPONDENTS

(BY SMT. WAHEEDA M M, HCGP FOR R1,
SMT. LIKITHA M, ADVOCATE ALONG WITH
SRI RAKSHITH R, ADVOCATE FOR R2)

THIS CRL.P IS FILED U/S 482 CR.P.C (U/S 528 BNSS)
PRAYING TO QUASH THE FIR AND FURTHER PROCEEDING IN
FIR IN CR.NO.46/2025 OF J.C.NAGAR P.S., BENGALURU CITY,
FOR THE OFFENCES PUNISHABLE UNDER SECTIONS 115(2),
118(1), 126(2), 3(5), 351(2), 352 OF THE BNS, 2023,
PENDING ON THE FILE OF 8th ACMM COURT, BENGALURU AS
AN ABUSE OF PROCESS OF LAW.

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

CORAM: HON'BLE MR JUSTICE SURAJ GOVINDARAJ



ORAL ORDER

1. The petitioners are before this Court seeking following reliefs.

"1. To Quash the FIR and further proceeding in F.I.R in Crime No. 46/2025 of J. C. Nagar Police Station, Bengaluru City, for offence under Sections 115(2), 118(1), 126(2), 3(5), 351(2), 352 of THE BHARATIYA NYAYA SANHITA(BNS), 2023, which is now pending on the file of Hon'ble 8th Addl. Chief Metropolitan Magistrates Court, Bengaluru as an abuse of process of law.

2. To grant such other relief or reliefs as this Hon'ble Court deems fit to grant in the facts and circumstance of the case, in the ends of Justice."

2. Petitioner No.1 and respondent No.2 are husband and wife. Petitioner No.2 and 3 are relatives of the petitioner No.1. Certain disputes having arisen on account of the matrimonial relationship, two separate complaints have been filed. One of them being subject matter of CrI.P.No.7218/2025, the same has been disposed of today. The other complaint in Cr.No.46/2025, which is the subject matter of the above proceedings. In view of the settlement, which has been arrived at in CrI.P.No.7218/2025, the same would also enure to the benefit of the parties in the present matter. As such, I proceed to pass the following:



ORDER

- (i) Criminal petition is ***allowed***.
- (ii) FIR in Cr.No.46/2025 registered by J.C.Nagar Police Station, Bengaluru City for the offences punishable under Sections 115(2), 118(1), 126(2), 3(5), 351(2), 352 of Bharatiya Nyaya Sanhita, 2023, pending on the file of 8th Additional Chief Metropolitan Magistrate Court, Bengaluru, is hereby quashed.

**SD/-
(SURAJ GOVINDARAJ)
JUDGE**

BH
List No.: 3 Sl No.: 66