



CRL.P No. 5955 of 2022

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

**DATED THIS THE 16<sup>TH</sup> DAY OF AUGUST, 2022**

**BEFORE**

**THE HON'BLE MR JUSTICE M.NAGAPRASANNA**

**CRIMINAL PETITION NO. 5955 OF 2022**

**BETWEEN:**

1. SRI. VISHWANATH KUMSI  
S/O HUCHURAYA KUMSI  
AGED 75 YEARS  
R/AT NO.620,  
2<sup>ND</sup> MAIN, 7<sup>TH</sup> CROSS  
VIJAYA BANK LAYOUT  
BENGALURU – 560 076  
PROP. OF VALUES PVT. LTD.,
2. SMT.THANMAI VISHWANATH  
D/O VISHWANATH  
AGED 34 YEARS  
R/AT NO.620,  
2<sup>ND</sup> MAIN, 7<sup>TH</sup> CROSS  
VIJAYA BANK LAYOUT  
BENGALURU – 560 076.

...PETITIONERS



(BY SRI. PRAKASH M.H., ADVOCATE)

**AND:**

1. THE STATE BY  
RAJAGOPAL NAGAR POLICE STATION,  
BENGALURU CITY,  
REP. BY THE STATE PUBLIC PROSECUTOR  
HIGH COURT OF KARNATAKA  
BENGALURU – 560 009.



**CRL.P No. 5955 of 2022**

2. SRI SHAILESH CHANDRAN  
S/O NATVARLAL CHANDRAN  
AGED 58 YEARS,  
FIELD OFFICER  
UNIVERSAL COPYRIGHT PROTECTION  
NO.13/14, MATHURA COMPLEX  
B.P.ROAD, BAYANDAR  
MAHARASHTRA – 401 105.

...RESPONDENTS

(BY SMT.K.P.YASHODHA, HCGP FOR R1;  
SRI K.L.SRINIVAS., ADVOCATE FOR R2)

THIS CRIMINAL PETITION IS FILED UNDER SECTION 482 OF CR.P.C., PRAYING TO QUASH THE FIR IN CR.NO.144/2022 ON THE FILE OF IX ADDL.C.M.M., BENGALURU WHICH IS REGISTERED BY RESPONDENT NO.1 ON THE REPORT OF RESPONDENT NO.2 FOR THE OFFENCE P/U/S 64, 63(B) OF COPYRIGHT ACT AND SECTION 65 OF INFORMATION TECHNOLOGY ACT AND SECTION 420 OF IPC.

THIS CRIMINAL PETITION COMING ON FOR REPORTING SETTLEMENT THIS DAY, THE COURT MADE THE FOLLOWING:

**ORDER**

The petitioners are before this Court calling in question proceedings in Crime No.144/2022, pending on the file of the 9<sup>th</sup> Additional Chief Metropolitan Magistrate, Bengaluru, registered for the offences punishable under Sections 64, 63B of the Copy Right Act, 1957, Section 65 of the Information Technology Act, 2000 and Section 420 of the IPC.



**CRL.P No. 5955 of 2022**

2. During the pendency of this petition, the parties to the *lis* have entered into a settlement and file memorandum of compromise to that effect. It is also submitted that the terms and conditions of the settlement are fulfilled.

3. The memorandum of compromise reads as follows:

**"MEMORANDUM OF COMPROMISE"**

1. *The above petition is filed challenging the registration of the crime against the petitioners punishable u/s 63, 63(B) of Copyright Act and Sec. 65 of Information Technology Act and sec. 420 of IPC on the report lodged by the respondent No.2.*
2. *The matter is under investigation and during this course, both the petitioners and the respondent No.2 have agreed for compromise. Petitioners have purchased the licensed software from M/s Mastercam India Pvt Ltd., which has authorized the respondent No. 2 to*



**CRL.P No. 5955 of 2022**

*lodge the report. In view of this, the respondent No. 2 is agreeing for quashing of the FIR against the petitioners*

3. *The respondent No. 2 is also has no objection for the petitioners to take back the computer hardwares which were seized during investigation."*

*WHEREFORE, both the petitioners and the respondent No. 2 request this Hon'ble court be pleased to accept this compromise petition and pass suitable orders in the interest of justice and equity."*

In terms of the afore-extracted memorandum of compromise of the parties for having arrived at settlement, I deem it appropriate to terminate the proceedings initiated against the petitioners for the afore-quoted offences, as the same are not against the State.



**CRL.P No. 5955 of 2022**

3. For the aforesaid reasons, I pass the following:

**ORDER**

- (i) The criminal petition is disposed.
- (ii) The proceedings in Crime No.144/2022, pending on the file of the 9<sup>th</sup> Additional Chief Metropolitan Magistrate, Bengaluru, stand quashed.

Pending I.A's if any, is disposed, as a consequence.

**Sd/-  
JUDGE**

NVJ