



CNR: KAHC010034682019

NC: 2026:KHC:43822
CRL.P No. 7066 of 2019

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE RAVI V HOSMANI

CRIMINAL PETITION NO.7066 OF 2019

BETWEEN:

1. SRI PRASHANTH C K.,
AGED ABOUT 39 YEARS,
S/O LATE C.KRSIHANAMURTHY,
2. SMT. CHANDRAMMA
W/O LATE C KRISHNAMURTHY
AGED ABOUT 68 YEARS,

BOTH ARE R/A 29/25,
SRI RAMA MANDIRA BEEDI,
YELEKERI, CHANNAPTNA TOWN
RAMANAGARA DISTRICT - 576 120.

...PETITIONERS

(BY SRI VARADARAJ RANGANATHA RAO HAVALDAR, ADV.)

AND:

1. STATE OF KARNATAKA
REP BY P.S.I.,
SUBRAMANAYPURA PS
BY SPP
HIGH COURT OF KARNATAKA,
BENGALURU - 560 001.
2. SMT. D LAKSHMI
W/O PRASHANTH C.K,

Digitally signed
by ANUSHA V
Location: High
Court of
Karnataka



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D/O DODDA HANUMAIAH,
RESIDING AT NO.4055/57,
2ND FLOOR, 2ND STAGE,
5TH CROSS, 2ND STAGE,
RAJAJINAGAR,
BENGALURU - 560 021.

...RESPONDENTS

(BY SRI MAHESHA P., HCGP FOR R1;
SRI B.V.MANJE GOWDA, ADVOCATE FOR
SRI K.A.CHANDRASHEKARA, ADVOCATE FOR R2)

THIS CRL.P IS FILED U/S 482 CR.PC PRAYING TO QUASH
THE COMPLAINT AND FIR DATED 03.08.2019 IN
CR.NO.131/2019 AS PER ANNEXRUE A AND B SEEKING
PROSECUTION OF THE PETITIONERS FOR THE COMMISSION
OF ALLEGED OFFENCE P/U/S 3 AND 4 OF D.P ACT AND
SECTION 498A OF IPC BY ALLOWING THIS PETITION.

THIS PETITION, COMING ON FOR *HEARING ON I.A.*, THIS
DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE RAVI V HOSMANI

ORAL ORDER

Challenging registration of FIR in Crime no.131/2019 by
Subramanyanagara Police Station, Bangalore for offences
punishable under Section 498A read with Section 34 of Indian
Penal Code, 1860 (**IPC**) and Sections 3 and 4 of Dowry



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Prohibition Act, 1961 (**DP Act**) presently stated to be pending on file of VII Additional Chief Metropolitan Magistrate Court, Bangalore, this petition is filed.

2. Sri Varadaraj Ranganatha Rao Havaladar, learned counsel for petitioners submitted that petitioners were arraigned as accused no.1 and 2 in complaint filed on 03.08.2019 by respondent no.2 (complainant) stating that she was married to petitioner no.1 on 16.11.2014. In course of discussion about marriage in house of complainant's relative - Dasappa, there was demand for amount of Rs.2,00,000/- for groom, 250 grams gold for bride, a site in Bangalore and grand marriage ceremony were demanded by petitioners and his brother - Basalingappa. It was further stated that complainant's father had agreed for payment of Rs.1,00,000/- in cash, 200 grams gold, motorcycle and stated that he would require time to secure site in Bangalore.

3. It was further stated that on 22.06.2014, at time of engagement function, petitioner no.1 was given 10 grams gold ring and Rs.1,00,000/- was spent on function. Thereafter at



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time of marriage, a sum of Rs.50,000/- was given to petitioner no.1 for wedding clothes, Rs.55,000/- was spent on lodging arrangements for guests of petitioner no.1 as well as Rs.1,00,000/- in cash, 20 grams of gold chain, 10 grams of finger ring, 20 grams of bracelet and 2 dollars of 8 grams gold each were given apart from spending Rs.10,00,000/- on wedding ceremony. Thereafter, complainant and petitioner no.1 led marital life for period of two months. Subsequently, since petitioner no.1 was working in Chitradurga Court, he used to come home once every week.

4. It is alleged that petitioner no.1 thereafter began demanding and harassing complainant about site and motorcycle not given and insulting or speaking low about complainant's parents. Subsequently, on ground that petitioner no.1 had contracted loan and needed money, petitioner no.1 began harassing complainant. Meanwhile, complainant became pregnant and petitioner no.1 insisted on her undergoing gender identification test and to remove fetus in case it was female. It



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is specifically stated that due to harassment, another sum of Rs.2,00,000/- was transferred to petitioner no.1 through Bank.

5. Thereafter, when she gave birth to female child on 16.09.2015, petitioners expressed displeasure and stated that they did not desire female child and began distancing complainant. They also expressed that they did not need complainant anymore and they had no objection for her living with her brother. Even on 28.08.2016, when complainant went to matrimonial home to invite them for naming ceremony of child, complainant and her father were abused and assaulted. Subsequently, pleas for taking complainant and child were refused by petitioner no.1.

6. It was stated that on 10.03.2019, when complainant was invited to attend wedding ceremony of her brother-in-law, complainant was alleged to be forced by petitioners to agree for divorce. Complainant further alleges that petitioner no.1 accused had contracted second marriage with one Pooja C. Based on above allegations, complainant sought action and complaint was registered as Crime



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no.131/2019 for offences punishable under Section 498A and Section 34 of IPC and Sections 3 and 4 of DP Act. Assailing same, present petition is filed.

7. It was submitted, as per complaint, incident of demand of dowry was in year 2014, therefore complaint filed only on 03.08.2019 would be highly belated. It was submitted there were absolutely no documents supporting complaint allegations and Police had failed to conduct preliminary enquiry. Apart from above, it was submitted that complainant had filed another complaint before Women's Commission and when same was forwarded to Subramanyanagara Police Station, same was closed with endorsement suggesting complainant to approach Family Court. It was submitted that complainant had also filed complaint before Lokayukta showing her vindictive nature. Even roping her mother-in-law in present proceedings would indicate that complaint was filed only to harass spouse and his family members.

8. Relying upon decision of this Court in Criminal Petition no.7053/2024, disposed of on 08.01.2026 (**Abuzar**



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Ahmed's case), it was submitted that complaint allegations were vague, omnibus and would not meet requirements of law for initiation of proceedings, drawing parallel to instant case, prayed for allowing petition and quashing FIR.

9. On other hand, Sri Mahesha P., learned HCGP for respondent no.1 - State and Sri B.V. Mangegowda and Sri Chandrashekara K.A., learned counsel for respondent no.2 (complainant) opposed petition. It was submitted, grounds urged were in nature of defence and would be matter for investigation and trial. Assailing initiation of criminal proceedings at inception stage would not provide for consideration of defence. It was submitted, closure of complaint forwarded by Women Commission would not be of much help as said proceedings were in different context. It was submitted that in view of interim order granted in this petition, respondents were prevented from investigation and in any case, veracity of allegations in complaint cannot be tested at this stage. On said grounds, learned counsel sought for dismissal of petition.



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10. Heard learned counsel and perused material on record.

11. This petition is by petitioners (accused no.1 and 2) challenging registration of FIR.

12. Hon'ble Supreme Court in case of **Anukul Singh v. State of Uttar Pradesh**, reported in **2025 SCC OnLine SC 2060**, held in a case involving challenge of an FIR, only scope for examination by High Court would be to verify whether complaint allegations without anything being added or subtracted, contain essential ingredients for any offence.

13. Perusal of complaint in instant case, reveals specific allegations being made against petitioners herein about ill-treatment with demands for dowry. Bare demand for dowry would attract offence under Sections 3 and 4 of DP Act. In any case, there are allegations of payment by complainant's parents to petitioner no.1 and specific allegations of harassing complaint and insisting her to get site, motorcycle etc. There is also allegation of accused insisting on her undergoing gender



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identification test prohibited in law and suggesting abortion cumulatively constituting *prima facie* material as ingredients insofar as offence under Section 498A of IPC.

14. Though, learned counsel for petitioners would be justified in pointing out that demand for dowry as stated in complaint itself was in year 2014, whereas complaint was filed on 03.08.2019 would be highly belated. However, there is specific assertion about harassment with demand for dowry after marriage and last incident referred to about cruelty is on 10.03.2019 at time of wedding of complainant's brother-in-law.

15. In a series of decisions in **Y. Yadagiri Goud v. Inspector of Police, ACB**, reported in **1991 SCC OnLine AP 53**; **S. Natarajan v. Shelly**, reported in **1990 SCC OnLine Mad 17** and **T.S. Rajamoni v. Randip Barua**, reported in **2001 SCC OnLine Gau 72** etc. Hon'ble Supreme Court has held FIR cannot be quashed on ground of mere delay. Contention about complaint not being supported by any documents would be in vain. As complaint need not be an encyclopaedia of all material allegations and once essential



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ingredients of an offence are disclosed, it is for Police/Investigating Agency to investigate and trace material to substantiate same.

16. Insofar as contention about vindictive proceedings, filing of complaint before Women Commission and making complaint before Lokayukta cannot be a ground for quashing all proceedings. In any case, said other proceedings met with an endorsement by Police. Insofar as ratio in **Abuzar Ahmed's** case (*supra*), perusal of facts involved in said matter would reveal that complaint was filed arraigning all family members of spouse. Even though, complainant and her husband were residing in United States of America and by making omnibus and vague allegations against all of them.

17. In instant case, however various decisions referred to in said judgments would indicate ratio that while testing legality of a complaint filed by wife against her husband and his family members, Courts require to examine whether there are any specific allegations or overt acts imputed against husband's



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relatives. Same would not apply to present case, as complaint is against husband and mother-in-law.

18. Contentions urged are in nature of defence proscribed from consideration. At initial stage, they would be at best matters for investigation and trial. Reserving liberty to petitioners to challenge charge sheet, if they are aggrieved by same and keeping all contentions open at that stage, petition is ***dismissed*** as devoid of merit.

**Sd/-
(RAVI V HOSMANI)
JUDGE**

GRD
List No.: 1 Sl No.: 14