



CNR: KAHC010105882024

NC: 2026:KHC:51709
CRL.P No. 1750 of 2024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 21ST DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE RAJESH RAI K

CRIMINAL PETITION NO. 1750 OF 2024

BETWEEN:

1. SRI. JAYARAMA @ JAYARAMU. K
S/O LATE TADIAH @ KADIAH
AGED ABOUT 64 YEARS,
2. SMT GOWRAMMA
W/O JAYARAMU
AGED ABOUT 53 YEARS,

NO.1 AND 2 ARE RESIDING AT NO.49,
SHIVAPURA, MANANDAVADI ROAD,
SRIRAMAPURA POST,
OPP CENTRAL RESHME MANDALI
MYSORE CITY-570 008

3. SMT MAHADEVAMMA
W/O LATE RANGAIAH
AGED ABOUT 65 YEARS
RESIDING AT SINGARIPURA VILLAGE,
KAVALANE HOBLI, NANJANGUDU TALUK
MYSORE DISTRICT-571 312

...PETITIONERS

(BY SRI. MAHADEVA SWAMY M, ADVOCATE)

AND:

Digitally signed
by PANKAJA S
Location: HIGH
COURT OF
KARNATAKA



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1. THE STATE OF KARNATAKA
REP BY THE POLICE INSPECTOR,
MANDYA WOMEN POLICE STATION
MANDYA-571 401

2. SMT PAVITHRA B G
W/O MAHADEVASWAMY R
D/O GURUSIDDAIAH
AGED ABOUT 30 YEARS,
R/AT BEVINAHALLI VILLAGE,
KOTHATTI HOBLI,
MANDYA TALUK AND DISTRICT
PIN-571478

R/AT SINGARIPURA VILLAGE,
KAVALANDE POST,
NANJANAGUDU TALUK,
MYSURU DISTRICT - 517 132

...RESPONDENTS

(BY SRI. MAHESH P, HCGP FOR R1,
SRI. PRAMOD R, ADVOCATE FOR R2)

THIS CRL.P IS FILED U/S 482 OF CR.PC PRAYING TO
QUASH THE CHARGE SHEET AND FURTHER PROCEEDINGS
AGAINST THE PETITIONERS FOR THE OFFENCE PUS 498A, 504,
506, 114 R/W 34 OF IPC AND SEC. 3, 4 AND 6 OF D.P. ACT IN
C.C.NO.3197/2022, PENDING ON THE FILE OF THE HONBLE
PRINCIPAL CIVIL JUDGE AND JMFC MANDYA.

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



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CORAM: HON'BLE MR. JUSTICE RAJESH RAI K

ORAL ORDER

This petition is filed under Section 482 of Cr.P.C seeking to quash proceedings against the petitioners/accused Nos.2 to 4 in C.C.No.3197/2022 (arising out of Crime No.8/2022 registered by the Mandya Women Police Station), for the offences punishable under Sections 489A, 504, 506, 114 r/w Section 34 of IPC and Sections 3, 4 and 6 of Dowry Prohibition Act, 1961 (for short, 'the DP Act'), pending on the file I Additional Civil Judge and JMFC, Mandya (for short, 'learned Magistrate').

2. The brief facts of the case, as borne out from the complaint and charge sheet materials, are that respondent No.2 lodged a complaint before respondent No.1-Police on 04.04.2022 alleging that her marriage with one Mahadevaswamy was solemnized on 17.06.2018 at Rahul Convention Hall, Mysuru. It is alleged that, prior to the marriage, her husband-Mahadevaswamy and his mother-Mahadevamma, along with others, demanded dowry in the form of cash of Rs.2,50,000/-, gold ornaments and a



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motorcycle. The said demand was allegedly fulfilled by the parents of respondent No.2.

3. After the marriage, respondent No.2 started residing with her husband and mother-in-law-Mahadevamma at Nanjangud Taluk, Mysuru. According to the complaint, their relationship remained cordial only for a few days and, about 20 days after the marriage, her husband and mother-in-law started demanding additional dowry from her. It is further alleged that, when respondent No.2 requested her mother-in-law i.e. accused No.4, to advise her son, she instead abused and threatened respondent No.2, stating that she would advise her son-accused No.1 only if respondent No.2 brought further dowry from her parental home.

4. It is also alleged that accused No.1 and accused No.4 suspected the fidelity of respondent No.2 and, on account of the same, drove her out of the matrimonial home. Hence, respondent No.2 lodged the complaint against the petitioners and her husband-accused No.1. Upon completion of investigation, respondent No.1-Police laid the charge sheet against the petitioners and husband of respondent No.2 for the



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aforementioned offences by arraying these petitioners as accused Nos.2 to 4. The learned Magistrate thereafter took cognizance of the alleged offences. Aggrieved by the same, the petitioners are before this Court.

5. Heard the learned counsel for the petitioners, learned HCGP for respondent No.1-State and learned counsel for the respondent No.2.

6. Apart from urging several other contentions, the learned counsel for the petitioners primarily contended that petitioner No.1 is the husband of petitioner No.2, who is the sister-in-law of respondent No.2, and petitioner No.3 is the mother-in-law of respondent No.2. It is submitted that none of these petitioners is connected with the alleged matrimonial dispute between respondent No.2 and her husband-accused No.1. It is further contended that, except for certain omnibus allegations in the complaint and the statements of the witnesses, no specific allegations or overt acts are attributed to these petitioners. On a perusal of the complaint averments, it is submitted that the allegations are essentially directed against accused No.1. In such circumstances, learned counsel contends



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that continuation of the proceedings against these petitioners would be unwarranted and, accordingly, prays to allow the petition.

7. *Per contra*, the learned counsel for respondent No.2 submitted that, on a perusal of the complaint averments, accused Nos.1 and 4, being the husband and mother-in-law of respondent No.2 respectively along with accused No.2 and 3, had demanded and accepted dowry in the form of cash and gold ornaments at the time of marriage. It is further submitted that, after the marriage, respondent No.2 resided along with accused Nos.1 and 4 and, during such period, both of them subjected her to physical and mental harassment in connection with the demand for additional dowry. The said allegations are clearly forthcoming from the complaint as well as the statements of the material witnesses.

8. As regards petitioner Nos.1 and 2, who are arrayed as accused Nos.2 and 3 respectively, learned counsel submitted that the marriage of respondent No.2 was solemnized in their presence and that they are also indirectly responsible for the acts committed by accused Nos.1 and 4. In such



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circumstances, it is contended that the proceedings against the petitioners cannot be quashed at this stage. Accordingly, he prays for dismissal of the petition.

9. Learned HCGP also opposed the prayer of the petitioners, contending that, after completion of investigation, the police have laid the charge sheet and the materials collected during investigation *prima facie* disclose the involvement of all the accused persons in the alleged offences. Accordingly, learned HCGP prays for dismissal of the petition.

10. I have given my anxious consideration to the submission made by the learned counsel for the respective parties so also perused the entire materials on record.

11. As could be gathered from records, among the petitioners, petitioner No.3 is the mother-in-law of respondent No.2, whereas petitioner Nos.1 and 2 are the brother-in-law and sister-in-law of accused No.1, respectively. On a perusal of the complaint averments, it is clearly forthcoming that the demand and acceptance of dowry at the time of marriage were specifically attributed to accused Nos.1 and 4, namely, the



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husband and mother-in-law of respondent No.2. No doubt, petitioner Nos.1 and 2, i.e., accused Nos.2 and 3, were stated to be present at the time of marriage. However, the specific allegations regarding the demand and acceptance of dowry are directed only against accused Nos.1 and 4.

12. Further, the allegations relating to harassment, as found in the complaint and the statements of the material witnesses, are also specifically directed against accused Nos.1 and 4. It is alleged that, after the marriage, while respondent No.2 was residing with them in the shared household, accused Nos.1 and 4 subjected her to harassment in connection with the demand for additional dowry and also questioned her fidelity during her pregnancy.

13. Insofar as accused Nos.2 and 3 are concerned, the allegations are omnibus in nature. There are no specific allegations disclosing the date, time or manner in which they allegedly subjected respondent No.2 to harassment. Such specific particulars are also not forthcoming either in the complaint or in the statements of the material witnesses.



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14. In such circumstance, the Hon'ble Apex Court in the case of ***K. Subba Rao vs. State of Telangana represented by its Secretary, Department of Home and Others*** reported in ***2024 INSC 960***, has held that the Court should be careful in proceeding against the distant relatives in crimes pertaining to matrimonial disputes and dowry deaths. The relatives of the husband should not be roped-in on the basis of omnibus allegations unless specific instance of their involvement in the crime are made out.

15. It is also settled position of law that if a person is made to face a criminal trial on some general and sweeping allegations without bringing on record any specific instances of criminal conduct, it is nothing but abuse of process of the Court. The Courts pose a duty to subject the allegations levelled in the complaint to a thorough scrutiny to find out, whether there is any gain of truth in the allegations or whether they are made only with the sole object of involving certain individuals in a criminal charge, more particularly when a prosecution arise from a matrimonial dispute.



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16. Further, the Hon'ble Apex Court in the case of **Dara Lakshmi Narayan vs. State of Telangana** reported in **2025 3 SCC 735**, held in para Nos.25 and 28 as under:

"25. A mere reference to the names of family members in a criminal case arising out of a matrimonial dispute, without specific allegations indicating their active involvement should be nipped in the bud. It is a well-recognised fact, borne out of judicial experience, that there is often a tendency to implicate all the members of the husband's family when domestic disputes arise out of a matrimonial discord. Such generalised and sweeping accusations unsupported by concrete evidence or particularized allegations cannot form the basis for criminal prosecution. Courts must exercise caution in such cases to prevent misuse of legal provisions and the legal process and avoid unnecessary harassment of innocent family members. In the present case, appellant Nos.2 to 6, who are the members of the family of appellant No.1 have been living in different cities and have not resided in the matrimonial house of appellant No.1 and respondent No.2 herein. Hence, they cannot be dragged into criminal prosecution and the same would be an abuse of the process of the law in the absence of specific allegations made against each of them.



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28. The inclusion of Section 498A of the IPC by way of an amendment was intended to curb cruelty inflicted on a woman by her husband and his family, ensuring swift intervention by the State. However, in recent years, as there have been a notable rise in matrimonial disputes across the country, accompanied by growing discord and tension within the institution of marriage, consequently, there has been a growing tendency to misuse provisions like Section 498A of the IPC as a tool for unleashing personal vendetta against the husband and his family by a wife. Making vague and generalised allegations during matrimonial conflicts, if not scrutinized, will lead to the misuse of legal processes and an encouragement for use of arm twisting tactics by a wife and/or her family. Sometimes, recourse is taken to invoke Section 498A of the IPC against the husband and his family in order to seek compliance with the unreasonable demands of a wife. Consequently, this Court has, time and again, cautioned against prosecuting the husband and his family in the absence of a clear prima facie case against them.”

17. On careful consideration of the principles laid down by the Hon’ble Apex Court in the aforesaid judgment and upon applying the same to the facts and circumstances of the instant case, I am of the considered view that the materials on record



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do not disclose the commission of any offences by petitioner Nos.1 and 2 i.e., accused Nos.2 and 3. Therefore, continuation of the proceedings against them would amount to an abuse of the process of law.

18. However, on perusal of the charge-sheet materials, *prima facie* allegations are forthcoming against accused No.1 and petitioner No.3 - accused No.4. The complaint specifically alleges that, from the inception of the marriage, petitioner No.3 i.e., accused No.4, along with her son i.e. the husband of respondent No.2, subjected respondent No.2 to physical and mental harassment in connection with the demand for additional dowry. Hence, the allegations against accused No.1 and petitioner No.3 - accused No.4 require to be tested in a full-fledged trial. Accordingly, I proceed to pass the following:

ORDER

- i. The petition is ***allowed in part***.
- ii. The petition in respect of petitioner Nos.1 and 2/accused Nos.2 and 3 is ***allowed***.
- iii. The petition in respect of petitioner No.3 /accused No.4 is ***dismissed***.



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- iv. The proceedings against the petitioner Nos.1 and 2/accused Nos.2 and 3 in C.C.No.3197/2022 (arising out of Crime No.8/2022 registered by the Mandya Women Police Station), for the offences punishable under Sections 489A, 504, 506, 114 r/w Section 34 of IPC and Sections 3, 4 and 6 of Dowry Prohibition Act, 1961, pending on the file I Additional Civil Judge and JMFC, Mandya is hereby quashed.
- v. It is made clear that the proceedings shall continue against the accused Nos.1 and 4.

SD/-
(RAJESH RAI K)
JUDGE

CR
List No.: 1 Sl No.: 10