



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 13TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE RAVI V HOSMANI

CRIMINAL PETITION NO. 3529 OF 2022

C/W

CRIMINAL PETITION NO. 3531 OF 2022

IN CRL.P No. 3529/2022

BETWEEN:

1. SMT. M.LAKSHMI ALIAS GAYATRI
W/O GOPALAKRISHANA
AGED ABOUT 28 YEARS,
R/AT NO. 827,
SECOND CROSS,
ROBERTSONPET, KGF
KOLAR - 563 122.
2. SRI RAVI KUMAR
S/O SRI KRISHNAMURTHY
AGED ABOUT 51 YEARS,
R/AT NO.827,
SECOND CROSS,
ROBERTSONPET, KGF
KOLAR - 563 122.
3. SRI PRAVEEN ALIAS PRAVEEN KUMAR
S/O SRI RAVIKUMAR
AGED ABOUT 29 YEARS,
R/AT NO.827,
SECOND CROSS,
REBERSONPET, KGF,
KOLAR - 563 122.

...PETITIONERS

[BY SRI AKKI MANJUNATH GOWDA K., ADVOCATE (PH)]

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by ANUSHA V
Location: High
Court of
Karnataka



NC: 2026:KHC:35360
CRL.P No. 3529 of 2022
C/W CRL.P No. 3531 of 2022

AND:

1. THE STATE OF KARNATAKA
BY CONTONMENT RAILWAY PS
BENGALURU
REP BY STATE PUBLIC PROSECUTOR
BENGALURU - 560 001.
2. SMT. VIJAYAKUMARI
W/O SRI SELVA
AGED ABOUT 55 YEARS,
R/AT NO.26, 14-B CROSS,
MARAPPA GARDEN
J.C.NAGAR
BENSON TOWN
BENGALURU - 560 046.

...RESPONDENTS

[BY SMT. SOWMYA R., HCGP FOR R1 (PH);
SRI NAGARAJU M., ADVOCATE FOR R2 (AB)]

THIS CRL.P IS FILED U/S.482 CR.P.C PRAYING TO QUASH THE
F.I.R. IN CR.NO.05/2022 REGISTERED BY 1ST RESPONDENT POLICE,
PENDING ON THE FILE OF J.M.F.C., MALURU, KOLAR, AGAINST THE
PETITIONERS FOR THE OFFENCE P/U/S 306 OF IPC.

IN CRL.P NO. 3531/2022

BETWEEN:

1. SRI M. NARAYANA
S/O SRI RAVIKUMAR
AGED ABOUT 29 YEARS
R/A NO.827,
SECOND CROSS
ROBERTSONPET, K G F,
KOLAR - 563 122.
2. SRI RAVINAGAPPA ALIAS RAVI N
S/O SRI NAGAPPA
AGED ABOUT 36 YEARS
R/A NO.34, 3RD MAIN
7TH CROSS, TANK ROAD,
NEAR PU COLLEGE,



NC: 2026:KHC:35360
CRL.P No. 3529 of 2022
C/W CRL.P No. 3531 of 2022

K R PURAM
BANGALORE NORTH - 560 036.

...PETITIONERS

(BY SRI AKKI MANJUNATH GOWDA K., ADVOCATE (PH))

AND:

1. THE STATE OF KARNATAKA
BY CANTONMENT RAILWAY P S
BANGALORE
REP BY STATE PUBLIC PROSECUTOR
BANGALORE.
2. SMT. VIJAYAKUMARI
W/O SRI SELVA
AGED ABOUT 55 YEARS
R/A NO.26, 14-B CROSS
MARAPPA GARDEN
J C NAGAR, BENSON TOWN
BANGALORE - 560 046.

...RESPONDENTS

[BY SMT. SOWMYA R., HCGP FOR R1 (PH);
SRI NAGARAJU M., ADVOCATE FOR R2 (AB)]

THIS CRL.P IS FILED U/S.482 CR.P.C PRAYING TO QUASH FIR IN
CR.NO.5/2022 REGISTERED BY THE 1st RESPONDENT POLICE
(CANTONMENT RAILWAY P.S) PENDING ON THE FILE OF THE JMFC,
MALUR AT KOLAR AGAINST THE PETITIONERS FOR THE OFFENCE
P/U/S 306 OF IPC.

THESE PETITIONS ARE 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.5/2022 by Cantonment Railway Police Station, Bangalore, pending on file of JMFC, Malur, Kolar, for offence punishable under Section 306 of Indian Penal Code, 1860 (**IPC**), these petitions are filed. While Crl.P.no.3529/2022 is by accused no.1 to 3, Crl.P.no.3531/2022 is by accused no.4 and 5.

2. Sri Akki Manjunath Gowda K., learned counsel for petitioners submitted that on 30.01.2022, Smt.Vijayakumari (**complainant**) filed a complaint stating that as per information received from Cantonment Railway Police that at 12:15 am on 30.01.2022, a male person aged about 30 years had died coming under Train near Malur, she went to Mortuary at CV Raman Hospital along with her husband only to find that deceased was her son Gopalkrishna. She stated that Gopalkrishna had married Gayatri about 3 years ago. She stated that prior to shifting into house at Medahalli, they had residing in JC Nagar for some time and thereafter in nearby house in Medahalli itself. And that Gayatri, her father Ravikumar, her brother Praveen along with five others had assaulted Gopalkrishna with brick and knife causing severe



injuries requiring 13 stitches and treatment at NIMHANS and private hospitals. And Crime no.9/2021 was registered on complaint of Gopalkrishna. Due to threat by Gayatri and her brothers, complaint was withdrawn. Thereafter, Gayatri and Gopalkrishna had resumed matrimonial life. But about 15 days earlier, Gopalkrishna had called from mobile no.735386623 informing her that his wife, father-in-law and brothers-in-law were harassing him and that he felt cheated for having trusted his wife and he was depressed on learning that his wife was having affair with Ravinagappa at her workplace. Though complainant consoled him but found him severely upset even when he met at her 2:00 pm on 27.01.2022. She alleged that Gayatri, her father Ravikumar, her brothers Praveen and Narayan had intentionally harassed her son Gopalkrishna physically and mentally and thereby caused Gopalkrishna to commit suicide by falling under railway. Complaint was registered as Crime no.5/2022 by Cantonment Railway Police for offence punishable under Section 306 of IPC against petitioners herein. Assailing same, this petition was filed.

3. It was submitted that complaint filed was only with view to extract vengeance and without containing essential



ingredients to constitute offence alleged. It was submitted, allegations in complaint were vague and suffered from malafide, especially when deceased was residing with Gayatri only, but all her family members were arraigned. On said grounds sought for allowing petition.

4. On other hand, Smt.Sowmya R., learned HCGP for respondent no.1-State opposed petition. It was submitted, complainant had stated about strained marital relationship between deceased and Gayatri. There was also earlier animosity between other accused and deceased as he had earlier filed complaint against them. Apart from above, complainant had stated about telephonic conversation with deceased fortnight prior to incident wherein her son had informed her about harassment by accused. She also stated that two days prior to incident, her son had met her and informed her about harassment by accused due to which he was severely depressed. Same were proximate in time to incident of suicide. It was submitted, even if complaint contained some ingredients of offence, there would be no justification for quashing of complaint as it would be matter for



investigation and trial. On said ground, prayed for dismissal of petition.

5. None appears for respondent no.2-complainant.

6. Heard learned counsel and perused material on record.

7. This petition is by accused no.1 to 5 challenging registration of FIR against them for offence punishable under Section 306 of IPC.

8. Challenge is mainly on ground that allegations do not constitute abetment of suicide.

9. Hon'ble Supreme Court in various decisions has clarified that general and vague allegations of instigation would not be sufficient to invoke offence of abetment to suicide. In ***Kumar alias Shiva Kumar v. State of Karnataka*** reported in ***(2024) 19 SCC 308***, it was observed human behaviour and decisions leading to suicide may arise from a multitude of circumstances including academic failure, emotional distress, depression, financial difficulties and other personal factors. But criminal liability for abetment of suicide can arise only when there exists *a direct, proximate and intentional act of*



instigation. In **Ayyub & Ors. v. State of U.P. & Anr.** reported in **(2025) 3 SCC 334**, it held mere verbal exchanges, insults or statements uttered in anger would not constitute instigation *unless accompanied by deliberate course of conduct intended to drive victim to commit suicide*. It was held, *mens rea* and ingredients of abetment as defined under Section 107 of IPC must be established to sustain prosecution under Section 306 of IPC. In **M. Arjunan v. State** reported in **(2019) 3 SCC 315**, requirement of *evidence to show accused intended to incite suicide*, was held necessary. And in **Mahendra Awase v. State of Madhya Pradesh** reported in **(2025) 4 SCC 801**, it cautioned against registration of complaints for offence of abetment of suicide only to assuage sentiments of distraught family.

10. In fact in **Patel Babubai Manohardas & Ors. v. State of Gujarat** reported in **2025 SCC OnLine SC 503**, Hon'ble Supreme Court held mere *harassment, blackmail or pressure* would not be abetment to suicide without proximate positive act of direct instigation which intentionally leaves deceased with no option except to end his life.



11. Content of complaint narrated above are about accused bearing ill-will against deceased for filing complaint against them earlier and harassment by them but without any particulars or stating that same was with intention to lead deceased to commit suicide. Allegations are not of such degree as to leave no other option to deceased than to commit suicide.

12. Hence, on ground that allegations cannot be held to be positive and direct acts of instigation or with intent to abet suicide, registration of FIR for offence of abetment of suicide would amount to abuse of process of Court.

13. In view of above, petitions are ***allowed***, registration of FIR in Crime no.5/2022 by Cantonment Railway Police Station, Bangalore, pending on file of JMFC, Malur, Kolar, stand *quashed*.

14. In view of disposal of petition, pending interlocutory applications, if any, stand *disposed*.

Sd/-
(RAVI V HOSMANI)
JUDGE