



CNR: KAHC010181882026

NC: 2026:KHC:51292
WP No. 8241 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 18TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO. 8241 OF 2026 (GM-FC)

BETWEEN:

SRI B SUHAS
S/O BASAVARAJ,
AGED ABOUT 39 YEARS,
RESIDING AT NO. 222,
B BLOCK, MITHUNA WHITE BELLS,
76, 2ND CROSS, VENKATESHWARA NAGAR,
YELAHANKA, BENGALURU - 560 064.

...PETITIONER

(BY SMT. MEGHA SUNIL, ADVOCATE FOR
SRI. G.B. SHARATH GOWDA, ADVOCATE)

AND:

SMT. G. B. PRIYANKA,
W/O B. SUHAS,
D/O G. BASAPPA,
AGED ABOUT 33 YEARS,
RESIDING AT C/O PRASHANTH G.B.,
SUMUKA MEADOWS,
DR. VISHNUVARDHAN ROAD,
CHANNASANDRA, R.R. NAGAR,
BENGALURU

...RESPONDENT

THIS WP IS FILED UNDER ARTICLE 227 OF THE
CONSTITUTION OF INDIA PRAYING TO A) ISSUE A WRIT OF
CERTIORARI OR ANY OTHER WRIT/S OR DIRECTION OR

Digitally
signed by
SUVARNA T
Location:
HIGH
COURT OF
KARNATAKA



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ORDER QUASHING THE ORDER DATED 05.01.2026 ON I.A. NO.8 PASSED BY THE PRINCIPAL FAMILY COURT AT BENGALURU IN M.C. NO.52/2020 AT ANNEXURE-A.

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

CORAM: HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

ORAL ORDER

Aggrieved by the order passed on IA No.8 dated 05.01.2026 in MC No.52/2020 by the Principal Judge, Family Court, Bangalore, the petitioner/husband is before this Court.

2. The petitioner has filed MC No.52/2020 seeking divorce on the ground of cruelty. In that, he has filed an application under Order VI Rule 17 CPC to amend the pleadings. In G & WC No.2/2020, there is deliberate disobedience of the court's orders. They sought to incorporate those pleadings, which amounts to cruelty. The respondent has lodged a complaint against the petitioner in Crime No.34/2025 and seeks to incorporate those details into the present MC. The Court, by the impugned order, dismissed the application. While dismissing the application, the Court observed that these



subsequent events have taken place in May 2025, which is after commencement of the trial. The law is settled that amendment application can be allowed for incorporating subsequent facts which have taken place subsequent to the filing of the petition, in case the subsequent facts are relevant. The law is further well-settled that initiation of false legal proceedings by the wife amounts to cruelty against the husband. Therefore, the amendment sought being for purpose of incorporating subsequent facts which have taken place after commencement of trial, is not hit by Proviso to Order 6 Rule 17 Code of Civil Procedure, 1908. The Court has observed that whether there is any violation of the orders passed by the Court, whether the wife had disobeyed the orders passed in G & WC No.2/2020, all these things have to be decided by the Court in G & WC and also on an appropriate application filed by the husband. Even if a false complaint is filed by the wife, at this stage, without that complaint being taken to a logical conclusion by initiating those proceedings as well, it is not relevant to the purpose of filing this petition. In those



circumstances, the Court has found that the amendment is not necessary. Accordingly, dismissed the application.

3. Learned counsel appearing for the petitioner submits that as he has filed a MC seeking divorce on the ground of cruelty, the subsequent acts amount to cruelty. Hence, it is necessary to amend the pleadings. It is submitted that all these aspects were not appreciated by the Court and they are very much necessary to decide the dispute between the parties. It is submitted that the order impugned needs to be set aside and the IA needs to be allowed by permitting the petitioner to amend the pleadings.

4. Having heard the learned counsel for the petitioner, perused the material on record.

5. The husband has filed a petition seeking divorce on the ground of cruelty. According to him, after the trial commenced, the wife had disobeyed the Court's orders by not giving custody as ordered, which amounts to cruelty. A complaint has also been filed that has to be incorporated. The Trial Court has rightly held that all these aspects will be dealt with by the Court in the pending case, and those acts do not



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need to be decided for the purpose of deciding this matter. With regard to the complaint, whether it is false or genuine has to be decided by the court. Now, mere filing of a complaint does not amount to cruelty, and even that is not relevant for the purpose of deciding the MC that is pending before the Court. In those circumstances, the Family Court has rightly rejected the application, and there are no grounds to interfere. Hence, this Court is passing the following:

ORDER

- i. Accordingly, the writ petition is ***dismissed***.
- ii. All pending IAs. in this petition stand closed.

SD/-
(LALITHA KANNEGANTI)
JUDGE

BH
List No.: 1 Sl No.: 1