



CNR: KAHC010221252019

NC: 2026:KHC:50472
CRL.P No. 5410 of 2019

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 16TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE H.P.SANDESH

CRIMINAL PETITION NO.5410 OF 2019

BETWEEN:

1. SRI SATHISH R.,
S/O LATE RANGAPPA
AGED ABOUT 30 YEARS,
OCC: ACCOUNTANT
R/AT NO.153, SAYIBABA NAGARA
NEAR ANUPAMA SCHOOL
ANDHRAHALLI MAIN ROAD,
BENGALURU CITY
PIN: 560091
(ADDRESS AS PER CHARGE SHEET)
2. SMT. JAYAMMA
W/O LATE RANGAPPA
AGED ABOUT 65 YEARS,
R/AT NO.236, LAKSHMI NIVASA
AHSRAYA LAYOUT
BOMMANAKATTE
VINOBBHANAGARA
SHIVAMOGGA
PIN: 577204
3. SMT. PUSHPA
W/O VEERESHA H
AGED ABOUT 36 YEARS,
R/AT 60TH MAIN
BENKINAGARA
SHIVAMOGGA

Digitally signed
by DEVIKA M
Location: HIGH
COURT OF
KARNATAKA



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4. SMT. NANDHINI
W/O NAGESH
AGED ABOUT 32 YEARS,
R/AT KENCHAPPA LAYOUT,
SHIVAMOGGA
PIN: 577204.

...PETITIONERS

(BY SRI. M.S. MANJUNATHA, ADVOCATE)

AND:

1. STATE BY
BYDARAHALLI PS
MAGADI SUB-DIVISION
RAMANAGARA DISTRICT
REPRESENTED BY STATE PUBLIC PROSECUTOR
HIGH COURT OF KARNATAKA
BENGALURU-560001.
2. SMT. REKHA K.J.
W/O SATHISH R,
AGED ABOUT 25 YEARS
R/AT # 5/9, ANJANADRI NILAYA
153 SAYIBABA NAGARA
NEAR ANUPAMA SCHOOL
ANDRAHALLI MAIN ROAD
BENGALURU CITY
PIN: 560005.

...RESPONDENTS

(BY SRI. DIVAKAR MADDUR, HCGP FOR R1;
SRI. BASAVARAJAPPA N. &
SRI. S.N. SAMEER, ADVOCATES)

THIS CRIMINAL PETITION IS FILED UNDER SECTION 482
OF CR.P.C PRAYING TO QUASH THE ENTIRE PROCEEDINGS
PENDING IN THE COURT OF CHIEF JUDICIAL MAGISTRATE
COURT, BENGALURU RURAL DISTRICT, BENGALURU IN



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C.C.NO.2581/2019, FOR THE OFFENCES PUNISHABLE UNDER SECTION 498-A, 34 IPC AND SECTIONS 3 AND 4 OF DOWRY PROHIBITION ACT, 1961.

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

CORAM: HON'BLE MR. JUSTICE H.P.SANDESH

ORAL ORDER

Heard learned counsel for the petitioners, learned High Court Government Pleader for respondent No.1 and learned counsel for respondent No.2-complainant.

2. The prayer sought before this Court by the accused persons is to quash filing of charge sheet against the petitioners in C.C.No.2581/2019 for the offence punishable under Sections 498-A read with Section 34 of IPC and Sections 3 and 4 of Dowry Prohibition Act, 1961.

3. The allegation made in the charge sheet is that these petitioners have indulged in subjecting the complainant for mental cruelty demanding the dowry and accepted the same. The marriage of petitioner No.1 and respondent No.2 was solemnized on 17.02.2017 and complaint was given on 23.12.2017, wherein allegation is made that her marriage was



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performed in Sri Seetharama Kalyana Mantapa, Shivamogga. At the time of marriage, Rs.1,10,000/- cash, 20 grams gold bracelet, 35 grams mangalya chain, necklace, 15 grams hanging and 1 kg. of silver articles were given. Subsequently, the husband subjected her for mental cruelty and also demanded an amount of Rs.10,00,000/- as dowry and mother-in-law and sister-in-laws also subjected her for mental and physical cruelty.

4. The counsel appearing for the petitioners would vehemently contend that an omnibus allegation is made against mother-in-law and sister-in-laws. The counsel would contend that both husband and wife are residing at Bengaluru and mother of petitioner No.1 owns a site at Shivamogga and before the marriage itself, the petitioner No.1 in the year 2016 borrowed the loan from others to construct the house in the said site at Shivamogga. Since, the petitioner No.1 is working as Accountant in a construction company in Bengaluru, before the marriage itself, the respondent No.1 took all the responsibility to construct the house in Shivamogga and after the construction of the house, he allowed his mother to reside



in the newly constructed house and he started to pay the loan amount. It is also the contention of petitioner No.1 that he is the only son and he has to look after his mother and he has to maintain his family and the respondent No.2 started to harass the petitioner No.1 while making the loan payment on which the petitioner No.1 borrowed the loan for construction of the house. The counsel also vehemently contend that a false complaint is filed against the petitioners making false allegation and the allegation made in the complaint is not supported by any material and with regard to conducting Panchayath also, though recorded the statement of witnesses and the said statement is hearsay. Hence, there cannot be proceedings against the petitioners.

5. Per contra, learned counsel appearing for respondent No.2-complainant submits that the witnesses, who have been cited in the charge sheet are C.W.1-complainant, C.W.2 and C.W.3 are the parents of the complainant and C.W.4 is the brother of the complainant. C.W.5 to C.W.9 are the persons, who were present at the time of marriage talk and also the Panchayath and the statement of these witnesses



C.W.5 to C.W.9 is very clear with regard to demand made and Panchayath conducted. Hence, matter requires trial.

6. Learned High Court Government Pleader for respondent No.1 would submit that during the course of investigation, Investigating Officer has recorded the statement of witnesses and statement of witnesses is very specific and matter requires trial.

7. Having heard learned counsel for the petitioner, learned High Court Government Pleader for respondent No.1 and learned counsel for respondent No.2-complainant, no doubt, C.W.1 to C.W.4 are the complainant and her family members, the other witnesses C.W.5 to C.W.9 are independent witnesses. The counsel appearing for the petitioner also brought to notice of this Court statement of these witnesses' and having perused the statement of these witnesses, those statements are only hearsay that complainant was informing about subjecting her for mental and physical harassment and so also, relied upon the statement of owner one Sri Shivashankarappa as well as statement of neighbouring witnesses Smt. Nagarathna and Smt. Jayalakshmi. Having



perused their statements also, the statement is that instigating to demand additional amount and having perused statement of those witnesses' also, it is nothing but a hearsay statement as per the complainant version. When such being the case and though cited that they are the Panchayatars in the charge sheet, but no such statements are made by those witnesses that they have participated in the Panchayath.

8. Having perused the statements of those witnesses, nothing is stated with regard to the allegations made in the complaint. When such being the material on record, though specific allegations are made against the husband, both the complainant and husband were residing at Bangalore. But, the mother-in-law and sister-in-laws were not residing along with the complainant and except omnibus allegation that they are also instigating the husband, nothing is placed on record. Hence, it is a fit case to exercise the power under Section 482 of Cr.P.C. and only included mother-in-law and sister-in-laws in the complaint and the same amounts to false implication.

9. The Apex Court also in several judgments held that it is nothing but robbing of all the family members of the



husband, that too, invoking Sections 3 and 4 of Dowry Prohibition Act and unless specific material and allegations are made that they also subjected her for cruelty. The omnibus statement that they have instigated the husband to subject her for cruelty cannot be a ground to proceed against them in a criminal prosecution. Hence, it is a fit case to exercise the power under Section 482 of Cr.P.C. in respect of accused Nos.2 to 4 i.e., mother-in-law and sister-in-laws and in respect of husband i.e., accused No.1 is concerned, having perused the complaint as well as statement of complainant, specific allegations are attributed against him. Hence, matter requires trial in respect of accused No.1-husband is concerned.

10. In view of the discussion made above, I pass the following:

ORDER

- (i) The criminal petition is allowed in part.
- (ii) The proceedings in respect of accused Nos.2, 3 and 4 i.e., mother-in-law and sister-in-laws in C.C.No.2581/2019 is hereby quashed.



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(iii) The petition in respect of accused No.1-husband is rejected.

**Sd/-
(H.P.SANDESH)
JUDGE**

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List No.: 1 Sl No.: 24