



CNR: KAHC010246072020

NC: 2026:KHC:54719
CRL.P No.4213 of 2020

IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 1ST DAY OF OCTOBER, 2026
BEFORE
THE HON'BLE MR. JUSTICE H.P.SANDESH
CRIMINAL PETITION NO.4213 OF 2020

BETWEEN:

1. RAJ .N
S/O N.A. NARAYANA RAO
SINCE DECEASED.
2. SMT. SUDHA
W/O RAJ N
AGED ABOUT 59 YEARS
R/AT 189/A, KRS ROAD
METAGALLI, RAILWAY COLONY
MYSURU 570016.
3. SMT. VINUTHA
D/O RAJ N
AGED ABOUT 35 YEARS
R/AT NO.750, 1ST MAIN
2ND STAGE, BANASHANKARI
BENGALURU-560070.

...PETITIONERS

(BY SRI. D.G. CHINNAPPA GOWDA, ADV., FOR
SRI. B.N. ANANTHANARAYANA, ADV., FOR P2 & P3
CRL.P. ABATED AGAINST P1 V/O/DTD:01.10.2026)

AND:

1. STATE OF KARNATAKA
WOMEN'S POLICE STATION
MYSURU
REP BY STATE PUBLIC PROSECUTOR
HIGH COURT BUILDING
BANGALORE 560001.

Digitally signed
by DEVIKA M
Location: HIGH
COURT OF
KARNATAKA



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2. SMT. VARALAKSHMI .J
R/AT NO.67, 8TH MAIN, 7TH CROSS
BIKASIPURA, BENGALURU 560078.

ALSO AT 27, MIG, 3RD CROSS
3RD STAGE, 2ND PHASE
RAMAKRISHNA NAGARA
H BLOCK, MYSURU 570022.

...RESPONDENTS

(BY SRI. MOHAMMED AYUB ALI, ADDL. SPP FOR R1
SRI. SRINIVASA D.C. ADV., FOR R2)

THIS CRL.P IS FILED U/S.482 OF CR.P.C. PRAYING TO
QUASH THE FIR AND COMPLAINT IN CR.NO.46/2020 FOR THE
OFFENCE P/U/S 498(A), 312, 313 AND 506 R/W 34 OF IPC
FOUND AT ANNEXURE-A AND B REGISTERED BY THE
RESPONDENT NO.1 WOMEN'S POLICE STATION, MYSURU
AGAINST THE PETITIONERS HEREIN PENDING ON THE FILE OF
IV ADDITIONAL CIVIL JUDGE (SR.DN.) AND J.M.F.C., MYSURU.

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

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

ORAL ORDER

Heard the learned counsel appearing for the petitioners
and also the learned counsel appearing for the respondents.

2. The prayer sought in the petition is to quash the
FIR and the complaint against the petitioners herein wherein
the offences are invoked in Crime No.46/2020 for the offences



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punishable under Sections 498(A), 312, 313, 506 read with Section 34 of IPC as per Annexes-A and B.

3. Learned counsel appearing for the petitioners would submit that the first petitioner is the father-in-law of the complainant, now he is no more, and he passed away after filing of this petition and hence the petition against petitioner No.1 is abated. The petitioner Nos.2 and 3 are the mother-in-law and sister-in-law of the complainant. Learned counsel brought to notice of this Court, the copy of the complaint wherein an allegation is made that the marriage of the complainant was solemnized with her husband and the said marriage is love marriage and also inter-caste marriage. The only allegation made against the petitioner No.2 i.e. mother-in-law, is that petitioner No.2 and her husband were telling that they are going to get a bride of Brahmin community, and so also the allegation against petitioner No.3 i.e., sister-in-law, is that an amount of Rs.42,572/- is got transferred by the complainant in order to get an iPhone to petitioner No.3. Except these allegations, nothing is mentioned in the complaint and these allegations will not constitute an offence under Section



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498A and the allegation for the offence invoked in the FIR i.e., under Sections 312 and 313, are against the husband and even causing of threat also against the husband under Section 506 of IPC. When such being the case and when there is no allegation against these petitioners in order to attract the aforesaid sections, it is nothing but an abuse of process of law by roping the mother-in-law as well as sister-in-law in a matrimonial dispute.

4. Per contra, learned counsel appearing for the respondent No.2-complainant would submit that the relief is sought for quashing of FIR and it is a matter of investigation by the Investigating Officer and at the stage of registration of the FIR this Court cannot exercise its powers under Section 482 of Cr.P.C. and the IO has to investigate the matter and invoke the appropriate offences.

5. Learned Additional State Public Prosecution appearing to the respondent No.1-State would also submit that the FIR is registered based on the complaint and the IO has yet to investigate the matter.



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6. Having heard the learned counsel appearing for the petitioners and also the learned counsel appearing for the respondent-complainant and State, this Court has to look into the contents of the complaint at the time of quashing of the FIR. No doubt, the Apex Court in the judgment of ***Dineshbhai Chandubhai Patel vs. State of Gujarat and others*** reported in **2018 (3) SCC 104**, at paragraph Nos.30 and 31 categorically made it clear that the High Court should not venture to quash the FIR if complaint does disclose the committing of an offence. Having conscious about the said principle laid down in the judgment of the Apex Court, Court has to look into the contents of the complaint. Having perused the contents of the complaint and also the learned counsel appearing for the petitioners brought to the notice of this Court that except stating the word by the mother-in-law that they were going to get a bride particularly belonging to their caste and also transferring the amount in order to get the iPhone in favour of the sister-in-law, nothing is stated in the complaint. The Court has to look into the contents of the complaint. Whether the complaint does disclose the committing of an



offence and invoking the offence punishable under Section 498A, 312, 313 and 506 read with Section 34 of IPC and since such ingredients of the offences are not made out in the complaint against the petitioners herein, and hence, the complaint does not disclose the ingredients for the said offences. When such being the case, when the Court fails to consider the contents of the complaint for the said offence, if allowed to continue the investigation against the petitioners herein, it amounts to an abuse of process or otherwise it leads to the miscarriage of justice. Having considered the contents of the complaint, it is a fit case to exercise the power under Section 482 of Cr.P.C.

7. In view of the discussions made above, I proceed to pass the following:

ORDER

- i. Petition in respect of petitioner No.1 is abated and petition in respect of petition Nos.2 and 3 i.e., accused Nos.3 and 4, is ***allowed***.



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- ii. The FIR in Crime No.46/2020 registered for the offences punishable under Sections 498(A), 312, 313, 506 read with Section 34 of IPC by respondent No.1-Women's Police Station, Mysuru, in respect of petitioner Nos.2 and 3 herein is quashed.

Sd/-
(H.P.SANDESH)
JUDGE

BSR
List No.: 1 Sl No.: 24