



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 19TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE RAVI V HOSMANI

CRIMINAL PETITION NO. 6415 OF 2019

BETWEEN:

SRI SAMBIT TRIPATI
AGED ABOUT 42 YEARS
S/O MR SACHIDANANDA TRIPATI
R/A B-24, ARCHID PREMIUR,
FLAT NO.302,
BJB NAGAR, ORISSA,
BHUBANESWAR - 75104.

...PETITIONER

(BY SMT. RAJAMANI P., ADVOCATE)

AND:

1. STATE BY ELECTRONIC CITY POLICE
HIGH COURT OF KARNATAKA,
STATE PUBLIC PROSECUTOR,
BANGALORE- 560 100.
2. SMT.RASHMI JHA
D/O MAJOR P JHA
AGED ABOUT 36 YEARS
R/AT H.203, STERLING GARDEN
KEMPAPURA, HEBBAL
BANGALORE - 560 024.

...RESPONDENTS

(BY SMT. SOWMYA R., HCGP FOR R1;
SRI J. SUNIL, ADVOCATE FOR R2)

THIS CRL.P IS FILED U/S.482 CR.P.C PRAYING TO QUASH THE
PROCEEDINGS IN C.C.NO.6019/2015 PENDING BEFORE CHIEF
JUDICIAL MAGISTRATE COURT, BENGALURU.

Digitally signed
by ANUSHA V
Location: High
Court of
Karnataka



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

CORAM: HON'BLE MR. JUSTICE RAVI V HOSMANI

ORAL ORDER

Challenging proceedings in CC no.6019/2015 on file of
Chief Judicial Magistrate, Bangalore, as per Annexure - AA, this
petition is filed.

2. Smt.Rajamani P, learned counsel for petitioner
submitted that petitioner was accused in complaint filed by
respondent no.2-complainant. It was submitted that impugned
proceedings were initiated on complaint filed by respondent
no.2-complainant. As per prosecution case, after taking note of
profile put up by respondent no.2-complainant on shaadi.com in
year 2013, accused went to house of complainant's parents -
CWs.4 and 5 and even after being informed of prior marriage
and divorce of complainant, agreed to marry her and that on
12.02.2013 accused along with his parents went to house of
CWs.4 and 5 for fixing marriage of petitioner with complainant,
in course of which, accused demanded ₹ 3,50,000 as dowry, ₹
51,000 towards purchase of clothes, ₹ 25,000 for other
expenses, ₹ 1,25,000 towards purchase of other household



articles, 65 grams gold and also demanded that marriage expenses be borne by complainant's family. On 15.02.2013, by spending ₹ 7,00,000 to meet said demands, marriage of petitioner and complainant was performed. After marriage when complainant went to matrimonial home with accused, she was harassed daily with demands to bring ₹ 10,00,000 for purchase of site and for purchase of three door fridge and complainant was fed stale food due to which she fell ill. When she was in hospital for treatment, a camera gifted by CW4 to complainant was taken away by accused. Alleging that said demands amounted to offence, complaint was filed for taking action. It was stated that complaint was registered in Crime no.156/2014.

3. It was submitted, complaint was filed six months after separation from accused. Thus, complaint suffered from unexplained delay. It was submitted, there was unnecessary delay in investigation and charge sheet was filed after one year alleging offences under Section 498A of Indian Penal Code, 1860 (**IPC**) read with Sections 3 and 4 of Dowry Prohibition Act, 1961 (**DP Act**) against accused. It was submitted, fact that accused had agreed to marry complainant despite same being her second marriage would belie any allegation for demand of



dowry. It was apparent that entire complaint was based on false allegation. It was submitted, fact that subsequently complainant had filed for and obtained divorce from petitioner. Fact that in said proceedings, no application was filed for return of jewelry or other articles also indicated allegations were false. It was submitted that allegation of demand of dowry would not constitute offence by repetitive allegation of demand of dowry, prior to marriage and after marriage and complaint was sought to be infused with serious allegation to falsely implicate accused. Therefore, prayed for allowing petition.

4. On other hand, Smt.Soumya R, learned HCGP for respondent - State opposed petition. It was submitted, both complaint as well as charge sheet contained sufficient allegations to substantiate ingredients for offences alleged. It was submitted apart from complainant's assertions in complaint, her statement was recorded under Section 161 of CrPC and there were corroboratory statements of her parents (CWs.4 and 5). In such statements, there were clear assertions about demand for cash of ₹ 3,50,000 as a condition of marriage as well as allegation of harassment with demand for getting further amount of ₹ 10,00,000 after marriage with specific allegations



of forcing complainant to consume stale food, which would meet ingredients of harassment falling within scope of 498A(b). It was submitted, contention that mere demand for dowry would not constitute offence would be contrary to Section 4 of DP Act. Apart from above, it was submitted, mere delay in filing complaint would not justify quashing of proceedings. On said grounds, sought dismissal of petition.

5. Heard learned counsel and perused material on record.

6. This petition is by accused challenging proceedings initiated for offences punishable under Section 498A of IPC and Sections 3 and 4 of DP Act. Marriage of petitioner and complainant is not in dispute. Perusal of decree in MC no.1846/2016 passed by III Additional Principal Judge, Family Court at Bangalore, reveals that same was allowed on 20.11.2021, much after initiation of proceedings in question. It is settled law that in a petition under Section 482 of CrPC, substantive evaluation of prosecution material and conduct of mini trial would not be permissible. Nor findings about veracity



of material collected by prosecution recorded. At best there could be an examination of evidentiary value.

7. As rightly pointed out by learned HCJP, complaint as well as charge sheet allegations substantiate essential ingredients for offence under Section 498A of IPC and Section 4 of DP Act. Demand for money prior to marriage as a condition of marriage, apart from demand of money towards purchase of clothes, other expenses, household articles as well as condition to meet entire marriage expenses by complainant's parents would fall within scope of demand for dowry. Even after marriage, complainant has stated that she was harassed and ill-treated and fed stale food to pressurize her to meet demand for bringing further amount. Prima facie same would fall within ambit of harassment as per explanation (b) of Section 498A of IPC. Thus, there is prima facie material to proceed against petitioner-accused for said offence. Insofar as prosecution under Sections 3 and 4 of DP Act, at outset since there is demand for dowry corroborated by statements of CWs4 and 5 and prima facie demand for dowry being punishable under Section 4 of DP Act, challenge on ground of allegation of demand for dowry not



constituting an offence would not merit consideration at this stage.

8. Consequently, none of contentions urged would substantiate that continuation of proceedings against petitioner would amount to abuse of process. Petition is devoid of merit and is accordingly ***dismissed***. However, dismissal of petition would not come in way of petitioner urging contentions at time of final hearing based on evidence collected during trial.

**Sd/-
(RAVI V HOSMANI)
JUDGE**