



CNR: KAHC010318582021

NC: 2026:KHC:49463  
CRL.P No. 6766 of 2021

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 10<sup>TH</sup> DAY OF SEPTEMBER, 2026**

**BEFORE**

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

**CRIMINAL PETITION NO.6766 OF 2021**

**BETWEEN:**

1. VEERAMALLAIAH,  
AGED ABOUT 57 YEARS,  
S/O LATE NAGANNA.
2. SMT. RANGAMMA,  
AGED ABOUT 53 YEARS,  
W/O VEERAMALLAIAH.

BOTH ARE RESIDING AT  
2<sup>ND</sup> MAIN, 4<sup>TH</sup> CROSS,  
SRINAGAR, KYATHSANDRA,  
TUMAKURU-572104.

3. SMT. AKSHATHA,  
AGED ABOUT 27 YEARS,  
W/O MOHAN KUMAR,  
R/O AIYAPPA LAYOUT,  
NEAR TO BBMP OFFICE,  
KEMPAPURA MAIN ROAD,  
DORESANAHALLI,  
BENGALURU-560057.

PERMANENT R/O: RANGAPURA VILLAGE,  
KOLALA HOBALI, KORATAGERE TALUK,  
TUMAKURU-572129.

...PETITIONERS

(BY SRI. MRC MANOHAR, ADVOCATE)

Digitally signed  
by DEVIKA M  
Location: HIGH  
COURT OF  
KARNATAKA



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**AND:**

1. THE STATE OF KARNATAKA,  
BY KOLALA POLICE,  
KOLALA HOBLI,  
KORATAGERE TALUK,  
TUMAKURU DISTRICT,  
REP. BY STATE PUBLIC PROSECUTOR,  
HIGH COURT COMPLEX,  
BENGALURU-560001.
2. SMT. ARUNA G.,  
AGED ABOUT 26 YEARS,  
W/O MAHESH R.V.,  
R/O RANGAPURA VILLAGE,  
KOLALA HOBLI,  
KORATAGERE TALUK,  
TUMAKURU DISTRICT-572129.

...RESPONDENTS

(BY SRI. SUHAS GOWDA M., HCGP FOR R1;  
SRI. G.S. VENKAT SUBBARAO, ADVOCATE FOR R2)

THIS CRIMINAL PETITION IS FILED UNDER SECTION 482 OF CR.P.C PRAYING TO QUASH THE ENTIRE PROCEEDINGS IN C.C.NO.479/2021 (CR.NO.14/2020) REGISTERED BY KOLALA POLICE STATION, KORATAGERE TALUK, TUMAKURU DISTRICT, FOR THE OFFENCES PUNISHABLE UNDER SECTIONS 323, 504, 506, 494, 417, 498A R/W SECTION 34 OF IPC AND SECTIONS 3 AND 4 OF DOWRY PROHIBITION ACT AND NOW THE CASE IS PENDING ON THE FILE OF THE CIVIL JUDGE AND JMFC, KORATAGERE, TUMKUR DISTRICT.

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



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

**ORAL ORDER**

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

2. In this petition, prayer is sought for quashing of the entire proceedings in C.C.No.479/2021, for the offences punishable under Sections 323, 504, 506, 494, 417, 498A read with Section 34 of IPC and Sections 3 and 4 of the Dowry Prohibition Act ('DP Act' for short).

3. The learned counsel for the petitioners would vehemently contend that in the dispute between the husband and wife, the complainant robbed all the family members of her husband, including in-laws and also the sister-in-law. The learned counsel would contend that a false allegation is made that accused Nos.1 to 3 demanded dowry at the time of marriage and even also made additional demand. The learned counsel would contend that an allegation is made that accused No.1 and petitioner Nos.1 to 3 were demanding Rs.22,00,000/-



and 6 acres of land as they have given to Padmavathi i.e., first wife of accused No.1 at the time of divorce, and as such they demanded Rs.50,00,000/- and started harassing respondent No.2. There was a panchayath in this regard, but no positive result. It is also an allegation that on 19.11.2019 at about 8.00 a.m., the petitioners abused respondent No.2 and assaulted and asked her to go out of the house or else they would poison her food. The counsel would submit that all these allegations are made only with an intention to wreak vengeance for personal grudge, since there were differences between the husband and wife. The learned counsel would contend that accused Nos.2 to 4 are falsely implicated in the case and no such allegations against these petitioners that they assaulted respondent No.2 and abused in a filthy language and the ingredients of the offences under Sections 494, 417, 498A, read with Section 34 of IPC and Sections 3 and 4 of DP Act will not attract against them. The counsel also vehemently contend that merely because the petitioners are the in-laws and sister-in-law of the complainant, they have been falsely implicated in the case. The father-in-law is a retired school teacher and he



has been falsely implicated. There were proceedings between the complainant and her husband and even G and WC proceedings is also pending before the Court and with an intention to arm twist the petitioners, false allegations are made against them. The learned counsel also vehemently contend that in respect of accused No.4 i.e., petitioner No.3, only an omnibus allegation is made against her before the police only to falsely implicate her and she is married and having husband and children and residing separately.

4. Per contra, the learned counsel for respondent No.2/complainant brought to the notice of this Court the very contents of the complaint dated 05.02.2020, wherein specific allegations are made against the petitioners for having demanded gold and cash at the time of marriage and also insisted to perform the marriage in the temple and has agreed to perform the same as per their demand. The learned counsel would vehemently contend that the in-laws of the complainant have also subjected her for cruelty and also even insisted for additional dowry amount. The learned counsel also brought to the notice of this Court page No.6 of the complaint, wherein an



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allegation is made against petitioner No.3/sister-in-law of the complainant/respondent No.2 that she also joined hands along with accused Nos.1 to 3 in making demand of Rs.50,00,000/- and subjected her for cruelty and even caused the life threat that they are going to commit the murder by poisoning her. The learned counsel would contend that there are specific allegations against all the accused persons and hence, it is not a case for invoking Section 482 of Cr.P.C. The learned counsel would also contend that the police have investigated the matter and filed the charge-sheet and recorded the statement of witnesses and the same is a matter of trial.

5. The learned High Court Government Pleader appearing for respondent No.1/State would contend that having considered the contents of the complaint and also the statement of witnesses, the matter requires to be tried before the Trial Court.

6. In reply to this argument, the learned counsel for the petitioners relied upon the judgment of the Apex Court in the case of **PREETI GUPTA AND ANOTHER v. STATE OF JHARKHAND AND ANOTHER** reported in **(2010) 7 SCC 667**



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and brought to the notice of this Court paragraph No.32, wherein the Apex Court has made an observation that it is a matter of common experience that most of these complaints under Section 498A IPC are filed in the heat of the moment over trivial issues without proper deliberations. The counsel also brought to the notice of this Court paragraph No.34, wherein an observation is made that unfortunately, at the time of filing of the complaint the implications and consequences are not properly visualized by the complainant that such complaint can lead to insurmountable harassment, agony and pain to the complainant, accused and his close relatives.

7. The learned counsel also relies upon the judgment of the Apex Court passed in **Criminal Appeal No.195/2022** arising out of SLP (Crl.) No.6545/2020 dated 08.02.2022, and brought to the notice of this Court paragraph Nos.12 and 18. In paragraph No.18 an observation is made that it is further manifest from the said judgments that false implications by way of general omnibus allegations made in the course of matrimonial dispute, if left unchecked would result in misuse of the process of law. The counsel also brought to the notice of



this Court paragraph No.22, wherein an observation is made that in the absence of any specific role attributed to the accused appellants, it would be unjust if the appellants are forced to go through the tribulations of a trial, i.e., general and omnibus allegations cannot manifest in a situation where the relatives of the complainant's husband are forced to undergo trial.

8. Having heard the respective learned counsel, the learned counsel for the petitioners brought to the notice of this Court the order passed by this Court in M.F.A.No.3509/2025 c/w M.F.A.No.3565/2025 dated 22.06.2026 and contend that both the appeals are allowed by the Court declaring the marriage solemnized between accused No.1 and respondent No.2 on 21.11.2018 as null and void. Having taken note of the very genesis of the complaint, the Court has to look into the contents of the complaint and having perused the contents of the complaint, which runs to about eight pages, the main allegation is made against the husband and also the in-laws that they have participated in the marriage talks and demanded the dowry including the gold ornaments. The very contents of



paragraph No.2 of the complaint is in respect of invoking of Sections 3 and 4 of the DP Act and also specific allegations are made against accused Nos.1 to 3 with regard to subjecting her for both mental and physical cruelty. Having read the entire contents of the complaint, particularly in page No.6, she also included the name of her sister-in-law. Admittedly, sister-in-law is married and residing along with her family members separately. Having taken note of contents of page Nos.6 and 7 of the complaint, the allegation made against sister-in-law is that she also had joined in demanding the additional dowry of Rs.50,00,000/- and except that omnibus allegation, no other allegations of invoking of the ingredients of the offences under Section 498A of IPC and Sections 3 and 4 of DP Act and also in respect of Sections 323, 504, 506 of IPC.

9. The principles laid down in the judgments of the Apex Court referred supra are very clear with regard to misuse of Section 498A of IPC and Sections 3 and 4 of DP Act. The Court has to take note of the contents of the complaint and allegations made in the complaint with due care and caution or otherwise it amounts to false implication and if any such



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omnibus allegations are made, then the Court can invoke Section 482 of Cr.P.C. In the case on hand, specific allegations are made against accused Nos.1 to 3. Insofar as accused No.4/petitioner No.3 is concerned, who is married and staying along with her husband, only omnibus allegations are made against her and hence, I am of the opinion that it is a fit case to exercise the powers under Section 482 of Cr.P.C. or otherwise it amounts to abuse of process, which leads to miscarriage of justice. The principles laid down in the judgment of the Apex Court referred supra comes to the aid of accused No.4/petitioner No.3. Having taken note of the material on record, the complaint allegations and statement of witnesses, the matter requires to be considered during the course of trial in respect of accused Nos.1 to 3 is concerned.

10. The learned counsel for the petitioners submits that the offences under Section 498A of IPC not attracts in respect of in-laws also. The same is a mixed question of fact and law and the same has to be considered by the Trial Court while considering the matter on merits.



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11. In view of the discussions made above, I pass the following:

ORDER

- (i) The petition is allowed in part.
- (ii) The proceedings initiated against accused No.4/petitioner No.3 in this petition is hereby quashed.
- (iii) The petition in respect of petitioner Nos.1 and 2 is rejected.

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

MD  
List No.: 1 Sl No.: 35