



CNR: KAHC010346422024

NC: 2026:KHC:51207
CRL.P No. 7141 of 2024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 18TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE RAJESH RAI K

CRIMINAL PETITION NO. 7141 OF 2024

BETWEEN:

1. SRI. BHASKAR RAO P.K
S/O SRI. P.G KUPENDRA RAO PATANGE,
AGED ABOUT 43 YEARS,
 2. SRI. MOHAN RAO P.K
S/O SRI. P.G KUPENDRA RAO PATANGE,
AGED ABOUT 41 YEARS,
 3. SRI. P.G KUPENDRA RAO PATANGE
S/O SRI GANGARAM
AGED ABOUT 77 YEARS,
 4. SMT. AMBIKA
W/O SRI. P.G KUPENDRA RAO PATANGE,
AGED ABOUT 67 YEARS,
- ALL ARE R/AT NO. 354,
SRI. LAKSHMI NARASIMHA SWAMY,
KRUPA, 160FT ROAD, IDSMT LAYOUT,
SIRA GATE, TUMKUR - 572 137.

...PETITIONERS

(BY SRI. NANDISH GOWDA G.B, ADVOCATE)

AND:

SMT. LATHA N
W/O SRI BHASKAR RAO P.K,
C/O SRI. M. NAMADEVAPPA,

Digitally signed
by PANKAJA S
Location: HIGH
COURT OF
KARNATAKA



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AGED ABOUT 44 YEARS,
R/AT NO. 144, GROUND FLOOR,
NGEF LAYOUT, 5TH MAIN, 5TH CROSS,
SANJAYANGAR, R.M.V 2ND STAGE,
BENGALURU NORTH,
R.M.V EXTENSION, 2ND STAGE,
BENGALURU - 560 094.

...RESPONDENT

(BY SRI. V AKSHAY KUMAR JAIN, ADVOCATE)

THIS CRL.P IS FILED U/S 482 OF CR.PC PRAYING TO
QUASH THE PROCEEDINGS IN CRL.MISC.NO.91/2022,
PENDING ON THE FIEL OF THE METROPOLITAN MAGISTRATE
TRAFFIC COURT-4 AT BENGALURU.

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

CORAM: HON'BLE MR. JUSTICE RAJESH RAI K

ORAL ORDER

1. This petition is filed under Section 482 of Cr.P.C. seeking to quash the proceedings in Crl.Misc.No.91/2022 filed by the respondent under Section 12 of the Protection of Women from Domestic Violence Act, 2005 (for brevity, "the D.V. Act") pending on the file of the learned Metropolitan Magistrate, Traffic Court-4, Bengaluru.

2. Petitioner No.1 is the husband, petitioner No.2 is the brother-in-law, petitioner No.3 is the father-in-law and petitioner No.4 is the mother-in-law of the respondent-wife.



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3. The factual matrix of the case, as pleaded by the respondent, is that her marriage with petitioner No.1 was solemnized on 02.04.2021 in accordance with Hindu rites and customs. Thereafter, she resided with the petitioners in the shared household. Initially, the relationship between the respondent and petitioner No.1 was cordial. However, subsequently, at the instigation of the in-laws, petitioner No.1 allegedly started abusing the respondent in filthy language, insisting upon divorce and picking up quarrels with her on trivial issues.

4. It is further alleged that, in the month of May 2022, petitioner No.1 physically assaulted the respondent, resulting in injuries, which she brought to the notice of the Hoysala Police. A complaint was lodged and the respondent requested the police to warn and advise the petitioners. Despite the same, it is alleged that, at the instigation of petitioner No.4, petitioner No.1 continued to quarrel with the respondent. The respondent was allegedly not permitted to enter the kitchen and, whenever she prepared food, petitioner No.4 used to throw the same into the garbage.



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5. It is further alleged that, during her pregnancy, petitioner No.1 assaulted the respondent and dragged her out of the house, as a result of which she suffered an abortion. Thereafter, while the respondent was undergoing treatment for urinary tract infection, she was allegedly not permitted to use the toilet attached to her bedroom and was consequently taking treatment at Dodmane Nursing Home.

6. It is further stated that, on 23.07.2022, the respondent approached the police, where the petitioners allegedly assured that they would not subject her to harassment. However, according to the respondent, they thereafter compelled her to sign divorce papers for mutual consent. When she resisted, the petitioners allegedly forcibly took away her mobile phone and sent her to her sister's house.

7. Again, on 04.09.2022, the respondent, accompanied by her sister, went to the petitioners' house. Though she was initially not permitted to enter, she was subsequently allowed to stay. However, her mother-in-law - petitioner No.4 allegedly did not accept her and the petitioners once again subjected her



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to harassment. Left with no other option, the respondent started residing with her sister, depending upon her sister's income for her day-to-day necessities, and also stayed for some time in a paying guest accommodation. In the circumstances, she filed a petition under Section 12 of the D.V. Act in Crl.Misc.No.91/2022 before the learned Metropolitan Magistrate, Bengaluru.

8. The learned Magistrate, upon perusal of the averments made in the petition, issued notice only to petitioner Nos.1 and 4, namely, the husband and mother-in-law of the respondent. Aggrieved by the said order, the petitioners have approached this Court in the present petition seeking quashing of the proceedings against all the petitioners.

9. Heard the learned counsel for the respective parties.

10. The primary contention of the learned counsel for the petitioners is that, on perusal of the entire averments made in the petition filed by the respondent under Section 12 of the D.V. Act, no specific allegations are forthcoming against any of the petitioners, including petitioner No.1-husband. It is



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contended that the respondent voluntarily left the matrimonial home and is presently residing with her sister.

11. With regard to petitioner Nos.2 to 4, namely, the brother-in-law, father-in-law and mother-in-law of the respondent, learned counsel contended that there are absolutely no specific allegations against them, except the omnibus allegation that they instigated petitioner No.1 to harass the respondent. It is further contended that no specific relief has been sought against these petitioners. Accordingly, learned counsel for the petitioners seeks quashing of the proceedings against all the petitioners.

12. *Per contra*, learned counsel for the respondent, at the outset, contended that the learned Magistrate has not issued notice to petitioner Nos.2 and 3, namely, the brother-in-law and father-in-law of the respondent. Placing reliance on the averments made in the petition filed under Section 12 of the D.V. Act, learned counsel contended that specific incidents of alleged acts committed by petitioner Nos.1 and 4 against the respondent have been narrated therein. It is further contended



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that the respondent has sought protection from domestic violence as well as other monetary reliefs. Therefore, the proceedings against petitioner Nos.1 and 4 cannot be quashed.

13. Learned counsel further contended that the proceedings are presently at the initial stage and the evidence is yet to commence. Hence, at this stage, the proceedings ought not to be quashed. Accordingly, he seeks dismissal of the petition.

14. Learned HCGP, however, opposed the prayer in the petition.

15. I have given my anxious consideration to the submissions of the learned counsel for the respective parties and perused the material on record.

16. As rightly submitted by the learned counsel for the respondent, on perusal of the proceedings in Crl.Misc.No.91/2022, it is evident that the learned Magistrate has not issued notice to petitioner Nos.2 and 3, namely, the brother-in-law and father-in-law of the respondent. The order specifically records that no allegations are forthcoming against



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them and, therefore, there was no necessity to issue notice to them. Thus, the learned Magistrate has proceeded only against petitioner Nos.1 and 4, namely, the husband and mother-in-law of the respondent.

17. On careful perusal of the averments made in the petition filed under Section 12 of the D.V. Act, it is specifically alleged by the respondent that, after her marriage, she resided with all the petitioners in the shared household. It is further alleged that, during the said period, petitioner No.1 subjected her to physical and mental harassment at the instigation of petitioner No.4 and that, ultimately, petitioner Nos.1 and 4, acting in collusion, drove her out of the matrimonial home. It is on the basis of these allegations that the respondent instituted the proceedings under Section 12 of the D.V. Act.

18. The order sheet further discloses that the proceedings are presently at the stage of evidence. In view of the specific allegations made against petitioner Nos.1 and 4 and the stage of the proceedings, I am of the considered view that it would not be appropriate to quash the proceedings against them at



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this stage. The allegations made by the respondent are matters which require examination on the basis of the evidence to be adduced before the learned Magistrate and cannot be conclusively adjudicated in proceedings under Section 482 of the Cr.P.C.

19. The Hon'ble Apex Court in the case of **SHAURABH KUMAR TRIPATHI VS. VIDHI RAWAL - 2025 SCC ONLINE SC 1158** has held that while exercising jurisdiction under Section 482 of Cr.P.C., for quashing proceedings under Section 12(1) of D.V. Act, the High Court should be very slow and circumspect. Interference can be made only when the case is clearly of gross illegality or gross abuse of the process of law. Generally, the High Court must adopt a hands-off approach while dealing with the proceedings under Section 482 for quashing an application under Section 12(1) of D.V.Act. In the present case, since *prima facie* allegations are forthcoming against petitioner Nos.1 and 4, the aforesaid principle squarely applies. Hence, this Court is of the considered view that the proceedings against petitioner Nos.1 and 4 do not warrant interference. Accordingly, the petition is **dismissed** insofar as



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petitioner Nos.1 and 4 are concerned. Insofar as petitioner Nos.2 and 3 are concerned, the petition has become infructuous, as the learned Magistrate has not issued notice to them and has specifically recorded that no allegations are forthcoming against them.

20. Considering the facts and circumstances of the case, the learned Magistrate is directed to conclude the trial and dispose of the matter at the earliest preferably within an ***outer limit of six months*** from the date of receipt of a copy of this order.

**SD/-
(RAJESH RAI K)
JUDGE**

PKS
List No.: 1 Sl No.: 44