



CNR: KAHC010403602019

NC: 2026:KHC:48321
CRL.P No. 5430 of 2019

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 7TH DAY OF SEPTEMBER, 2026

BEFORE

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

CRIMINAL PETITION NO. 5430 OF 2019

BETWEEN:

1. MR. ANEES ANRAR AHMED
S/O LATE NAZEER AHMED

PETITION AGAINST PETITIONER NO.1 IS
DISMISSED VIDE ORDER DATED 26.08.2019

2. MRS NOOR JAHAN
AGED ABOUT 51 YEARS
W/O LATE NAZEER AHMED

3. MR SQUIB ASRAR AHMED
AGED ABOUT 25 YEARS
S/O LATE NAZEER AHMED

Digitally signed
by DEVIKA M
Location: HIGH
COURT OF
KARNATAKA

4. MR. KHAJA MASOOD AHMED
AGED ABOUT 22 YEARS
S/O LATE NAZEER AHMED

PETITIONERS NOS.1 TO 4 ARE R/AT
NO.276, WARD NO.18,
BEHIND M.P. PLAZA
MAHALAKSHMI LAYOUT
M.B. ROAD, KOLAR - 563 101.

5. MR ASIF PASHA
AGED ABOUT 55 YEARS



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S/O SAHIB PASHA
R/AT NO.15, 3RD CROSS
NEAR TAJ DARBAR HOTEL
3RD BLOCK, JAYANAGAR EAST
BANGALORE - 560 011.

6. MR ARIF PASHA
AGED ABOUT 51 YEARS
S/O SAHIB PASHA
7. MR AMJAD PASHA
AGED ABOUT 53 YEARS
S/O SAHIB PASHA
R/AT NO.1199, OPP CLOCK TOWER,
DHARGA MOHALLA, KOLAR.

...PETITIONERS

(BY SRI. NAVEED AHMED, ADVOCATE FOR P2 TO P7;
VIDE ORDER DATED 26.08.2019, THE PETITION IS
DISMISSED SO FAR AS P1 IS CONCERNED)

AND:

1. STATE OF KARNATAKA
BY HALASURGATE WOMEN POLICE STATION
REP BY SPP
HIGH COURT OF KARNATAKA
BANGALORE - 560 001
2. SMT. HOOR SULTANA
D/O MOHAMMED ASIFULLA
W/O ANNEES ABRAR AHMED
AGED ABOUT 26 YEARS
R/AT NO.24/3-2, II 'C' CROSS
PADRAYANPURA, BANGALORE - 560 026.

...RESPONDENTS



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(BY SRI. MOHAMMED AYUB ALI, ADDL. SPP FOR R1
SRI. SYED KHALEEL PASHA, ADVOCATE FOR R2)

THIS CRL.P IS FILED U/S.482 CR.P.C BY THE ADVOCATE FOR THE PETITIONER PRAYING THAT THIS HON'BLE COURT MAY BE PLEASED TO QUASH THE CHARGE SHEET IN C.C.NO.13320/2018 ON THE FILE OF VI A.C.M.M., BANALORE VIDE ANNEXURE-A AND CONSEQUENTLY QUASH THE FIR IN CR.NO.83/2016 BEFORE THE 1ST RESPONDENT POLICE VIDE ANNEXURE-B AND COMPLAINT DATED 14.10.2016 VIDE ANNEXURE-C PENDING ON THE FILE OF VI A.C.M.M., BANGALORE.

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 for the petitioners, the learned counsel for respondent No.1/Additional SPP and the learned counsel appearing for respondent No.2/complainant.

2. The prayer sought in the petition, though earlier the petition was filed on behalf of the husband,



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subsequently the same is deleted and a prayer is made by petitioners Nos.2 to 7 to quash the proceedings initiated against the petitioners in C.C. No.13320/2018 on the file of the VI ACMM, Bangalore, and the charge sheet is filed as per Annexure-A.

3. Learned counsel appearing for the petitioners brought to the notice of this Court that all the family members are roped into a criminal case and allegations are also made that they subjected the complainant to cruelty, caused life threats and also demanded and accepted dowry at the time of marriage. Learned counsel brought to the notice of this Court the detailed complaint at Annexure-C dated 14.10.2016 and also contended that there was no demand at the time of engagement, but subsequently, on 16.09.2012, they came to their house and furnished the list of dowry demands, which was a shock to their family and they rejected their offer. Subsequently, part of the demand was accepted on 27.09.2012. Her father and his brother, Arifulla Ibrahim, agreed to comply with their demands



partly and accordingly, made the payment of cash as well as gold and silver articles and other articles.

4. Learned counsel also vehemently contended that an omnibus statement is made against all the family members, including the maternal uncles. The counsel further contended that, in their statements also, the specific role of each of the accused persons is not stated and that all the family members, including the relatives, have been roped in, and hence, it requires interference.

5. Per contra, learned counsel appearing for respondent No.2/complainant brought to the notice of this Court, particularly, page Nos.3, 4 and 5. Particularly, at page No.3, the role of each of the accused persons is mentioned.

6. Learned counsel would vehemently contend that petitioner Nos.5 to 7 are the relatives, i.e., maternal uncles of the accused and they also played their role in performing the marriage and making the unlawful demand



and all of them colluded with each other and threatened the complainant and hence, there are specific allegations, particularly, that all of them contributed in subjecting her to cruelty and also causing life threats.

7. Learned counsel appearing for respondent No.1/State would contend that, in the complaint, which runs to 6 pages, specific allegations are made against each of the accused persons and during the course of investigation also, the IO took note of the same.

8. Having heard the learned counsel appearing for the petitioners, learned counsel appearing for respondent No.1/State and learned counsel for respondent No.2/complainant and also particularly taking note of the 6-page complaint, an allegation is made with regard to the demand for dowry, that too immediately after the engagement and not before and it was a shock to the complainant. In the complaint at Annexure-C dated 14.10.2016, specific allegations are made against the



accused, as well as it is stated that, on 16.09.2012, they came to their house and gave the list of every demand and though the family members were not agreeable, subsequently, it was agreed since the invitation card had already been published and the place of marriage had also been agreed upon. Accordingly, they gave 380 grams of gold ornaments, half a kilogram of silver and 170 dresses, a Rado watch, bracelet and suit to her husband and also gave Rs.6,50,000/- in cash to her husband and in-laws one day prior to the marriage while performing *Supraana*.

9. Having taken note of the allegation made in the complaint and also the statement of the witnesses with regard to the participation and demand, which was also given, but no specific demand, acceptance, and participation of accused Nos.3 to 7 has been stated in the complaint, and having taken note that an omnibus statement is made against them, it is appropriate to allow the petition in part, or otherwise, it amounts to an abuse of process. In respect of accused Nos.2 to 4, they are in-



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laws and also brother-in-law, and accused Nos.5 to 7 are the maternal uncles of accused No.1. When there is no such specific allegation with regard to the demand and acceptance and invoking the ingredients of the offence under Sections 3 and 4 against them, so also causing life threat, it is appropriate to quash the proceedings insofar as accused Nos.5 to 7 are concerned. Hence, the said petitioner have made out the grounds to quash the proceedings in respect of accused Nos.5 to 7 and accordingly, the petition is partly **allowed** and quashed against accused Nos.5 to 7 only.

Sd/-
(H.P.SANDESH)
JUDGE

TMP
List No.: 1 Sl No.: 15