



CNR: KAHC010417692024

NC: 2026:KHC:54232
CRL.P No. 8648 of 2024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE RAJESH RAI K

CRIMINAL PETITION NO. 8648 OF 2024

BETWEEN:

1. HUMAYUN SHARIFF
S/O P MUSHTAQ
AGED 55 YEARS,
2. THASEEN TAJ
W/O HUMAYUN SHARIFF
AGED 48 YEARS

BOTH ARE R/A NO. 2809, 2ND STAGE,
2ND PHASE, RAJIV NAGAR,
BEHIND MAJESTIC CONVENTION HALL,
MYSURU - 570 019.

...PETITIONERS

(BY SRI. MANJUNATH B.R, ADVOCATE)

AND:

1. STATE OF KARNATAKA
BY WOMEN POLICE MYSURU
REPRESENTED BY
STATE PUBLIC PROSECUTOR
HIGH COURT OF KARNATAKA
BANGALORE - 560 001.
2. ZAIBA ABBAS
W/O REHAN SHARIFF
AGED ABOUT 29 YEARS,
R/AT NO. 607

Digitally signed
by PANKAJA S
Location: HIGH
COURT OF
KARNATAKA



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NIMRA MASJID ROAD,
1ST STAGE, RAJIV NAGAR
MYSURU - 570 019.

...RESPONDENTS

(BY SRI. JAVEED S, HCGP FOR R1,
SRI. MUZUFFAR AHMED, ADVOCATE FOR R2)

THIS CRL.P IS FILED U/S.482 OF CR.P.C (U/S 528 BNSS)
PRAYING TO QUASH THE CHARGE SHEET IN CC.NO.408/2023,
FOR THE OFFENCES P/U/S 498-A,504 R/W 34 OF IPC, U/S 4
AND 6 OF DP ACT OF WOMEN P.S., MYSURU, PENDING ON THE
FILE OF VII ADDITIONAL CIVIL JUDGE AND JMFC COURT AT
MYSURU.

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. praying to quash the proceedings in C.C.No.408/2023 arising out of Crime No.34/2023 registered by the 1st respondent - police against the petitioners for the offences punishable under Sections 498A, 504 read with Section 34 of IPC and under Sections 4 and 6 of Dowry Prohibition Act, pending on the file of VII Addl. Civil Judge & JMFC, Mysuru.

2. The factual matrix of the case is that the marriage between respondent No.2 and Rehan Sharief i.e., accused No.1



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- son of the petitioners was solemnized on 06.09.2020. After marriage, respondent no. 2 started to reside in her matrimonial home at Mysore. It is alleged by respondent No.2 that initially, the marital relationship was cordial, however, accused No.1 and the petitioners i.e., her in-laws started to harass her both physically and mentally for silly reasons, so also for additional dowry. It is further alleged that the petitioners herein being the in-laws were ill-treating her and in the month of November 2020, respondent No.2's parents handed over all the gold ornaments to petitioner No.2 - mother-in-law. Thereafter, due to differences between them, she lodged a complaint before the 1st respondent - police on 19.01.2023. However, the said police advised both respondent No.2 and accused No.1 to lead a happy life and accordingly, closed the said complaint. Even then, the ill-treatment continued, as such, she finally lodged a complaint on 23.02.2023. On the strength of the said complaint, FIR in Crime No.34/2023 came to be registered against the petitioners and accused no. 1. Thereafter, 1st respondent - police investigated the case and laid charge sheet against the petitioners for the aforementioned offences. The



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learned magistrate took cognizance of the offence. Aggrieved by the same, the petitioners preferred this petition.

3. Heard the learned counsel for the respective parties.

4. The primary contention of the learned counsel for the petitioners is that except omnibus and general allegations against the petitioners, who are the father-in-law and mother-in-law of respondent No.2, both in the complaint and in the charge sheet, no other specific allegations are forthcoming against them. Further, he contended that the complaint averments clearly discloses that the allegations are against accused No.1 and these petitioners have nothing to do with the alleged matrimonial dispute between accused No.1 and respondent No.2. Even in the earlier complaint lodged by respondent No.2, there was no specific allegations made against these petitioners. In such circumstances, proceedings against the petitioners are nothing but abuse of process of Court. Accordingly, he prays to allow the petition.

5. *Per contra*, learned counsel for respondent No.2 would contend that respondent No.2 was residing with her husband -



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accused No.1 and the petitioners i.e., her in-laws in a shared house after her marriage and as on the date of incident. Admittedly, there are specific allegations of ill-treatment and dowry harassment against these petitioners along with accused no.1 and further, respondent no.2 had given all the gold ornaments to petitioner no.2. Apart from that, statement of eyewitness also reveals the involvement of these petitioners in harassing respondent No.2. In such circumstances, he prays to dismiss the petition.

6. Learned HCGP also opposed the prayer on the ground that the charge sheet has been filed against these petitioners and the statement of the material witnesses clearly reveals that these petitioners also involved in harassing respondent No.2. In such circumstances, the proceedings cannot be quashed against them. Accordingly, he prays to dismiss the petition.

7. I have given my anxious consideration to the submissions of respective counsel and perused the material on record.

8. As could be gathered from the complaint and charge sheet averments, the relationship between these petitioners



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and respondent no.2 is not in dispute. Further, the complaint averments reveal that respondent No.2 was residing with accused No.1 along with her in-laws i.e., the petitioners in a shared house after the marriage. Though the relationship was cordial for a few days, accused no.1 along with petitioners started to harass respondent no.2. In the complaint, it is specifically stated that these petitioners also ill-treated respondent no.2. Further, respondent no.2 had given the list of gold ornaments handed over to petitioner No.2. It is pertinent to state at this juncture that respondent No.2 had earlier lodged a complaint before the 1st respondent - police and the same was closed after advising the parties. However, respondent No.2 lodged the present complaint alleging that she was ill-treated and harassed both physically and mentally by the petitioners and accused No.1. Even the statement of witnesses reveals that the petitioners being the in-laws i.e., father-in-law and mother-in-law were harassing respondent no.2, both physically and mentally for additional dowry. As such, on overall perusal of entire charge sheet materials, there is a prima facie case against the petitioners also.



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9. Quashing the criminal proceedings is called for only in a case where the complaint does not disclose any offence, or is frivolous, vexatious or oppressive. If the allegations set out in the complaint do not constitute offence of which cognizance has been taken by the Magistrate, it is open for this Court to quash the same. It is not necessary that a meticulous analysis of case should be done before trial to find out whether the case would end in conviction or acquittal. If it appears on a reading of the complaint and consideration of the allegation therein, in the light of the statement made on oath that the ingredients of the offence are disclosed, there would be no justification for the Court to interfere as held in the case of ***SAU. KAMAL SHIVAJI POKARNEKAR VS. STATE OF MAHARASHTRA AND OTHERS - 2019 (14) SCC 350.***

10. In the instant case, the charge sheet materials disclose a *prima facie* case against the petitioners for the offence which the petitioners charge sheeted. In such circumstances, the same has to be tested in a detailed trial. Hence, without expressing any opinion on the merits of the case, suffice to hold that the proceedings against the petitioners cannot be



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quashed at this stage. Accordingly, the petition lacks merit and the same is ***dismissed***. However, it is made clear that the observations made in this order shall not influence the Trial Court while disposing of the proceedings.

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

PKS
List No.: 1 Sl No.: 31