



CNR: KAHC010450262018

NC: 2026:KHC:55656
CRL.P No. 6207 of 2018

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 6TH DAY OF OCTOBER, 2026

BEFORE

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

CRIMINAL PETITION NO.6207 OF 2018

BETWEEN:

1. SRI. NATARAJ,
AGED ABOUT 66 YEARS,
S/O SRI. M.N. NANJAPPA,
R/AT HOUSE NO.173,
12TH MAIN, 22ND CROSS,
"D" BLOCK, J.P.NAGAR,
MYSURU - 570008.
2. SMT. LAKSHMI,
W/O SRI. NATARAJ,
AGED ABOUT 61 YEARS,
R/AT HOSUE NO.173,
12TH MAIN, 22ND CROSS,
"D" BLOCK, J.P. NAGAR,
MYSURU - 570008.
3. SMT. PRIYANKA,
AGED ABOUT 34 YEARS,
D/O SRI. NATARAJ,
W/O KUMARESAN V,
R/AT B16, 3RD FLOOR,
SUDHARMA APARTMENTS,
A.K. SAMY NAGAR,
1ST STREET, KILPAUK,
CHENNAI -10.

Digitally signed
by DEVIKA M
Location: HIGH
COURT OF
KARNATAKA

ADDRESS AS SHOWN IN COMPLAINT.
R/AT HOUSE NO.173, 12TH MAIN,



CNR: KAHC010450262018

NC: 2026:KHC:55656
CRL.P No. 6207 of 2018

22ND CROSS, "D" BLOCK,
J.P. NAGAR, MYSURU-570008.

...PETITIONERS

(BY SRI. VENKATESH R. BHAGAT, ADVOCATE)

AND:

1. THE STATE
BY HALENAGARA POLICE STATION,
BHADRAVATHI-577301,
SHIVAMOGGA DISTRICT,
REP. BY STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
BENGALURU-560001.
2. SMT. NANDINI,
AGED ABOUT 30 YEARS,
W/O SRI. M.N.MANJUNATH @ MALLESH,
R/AT HOUSE NO.204, N.S.T. ROAD,
BHADRAVATHI-577301
SHIVAMOGGA DISTRICT.

...RESPONDENTS

(BY SRI. SUHAS GOWDA M., HCGP FOR R1;
SRI. RAVISHANKAR, ADVOCATE FOR R2)

THIS CRIMINAL PETITION IS FILED UNDER SECTION 482 OF CR.P.C PRAYING TO QUASH THE ORDER DATED 01.02.2018 TAKING COGNIZANCE OF THE OFFENCES PUNISHABLE UNDER SECTIONS 498A, 504 AND 506 R/W SECTION 34 OF IPC, IN C.C.NO.181/2018 (PCR.NO.11/2017, CR.NO.52/2017), PENDING ON THE FILE OF THE II ADDITIONAL CIVIL JUDGE AND JMFC, BHADRAVATHI AND CONSEQUENTLY ORDERING TO REGISTER AS CRIMINAL CASE, AS ANNEXURE-A AND ALSO THE CHARGE SHEET FILED BY THE CRIMINAL CASE AT ANNEXURE-A AND ALSO THE CHARGE SHEET FILED BY THE HALENAGAR POLICE, BHADRAVATHI AT ANNEXURE-B AND ALL FURTHER PROCEEDINGS PURSUANT THERE TO.

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



CNR: KAHC010450262018

NC: 2026:KHC:55656
CRL.P No. 6207 of 2018

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. The prayer sought in this petition is to quash the proceedings initiated against these petitioners, who are the father-in-law, mother-in-law and sister-in-law of the complainant, in C.C.No.181/2018 arising out of PCR No.11/2017 in Crime No.52/2017 and also praying this Court to quash the order dated 01.02.2018 taking cognizance of the offences punishable under Sections 498A, 504, 506 read with Section 34 of IPC and grant such other relief as deemed fit in the circumstances of the case.

3. The factual matrix of the case of the complainant in PCR No.11/2017 filed before the learned Magistrate, Bhadravathi, is that the marriage of the complainant was solemnized with accused No.1 on 07.09.2010 and prior to the marriage, marriage talks were held to give an amount of



NC: 2026:KHC:55656
CRL.P No. 6207 of 2018

Rs.1,00,000/-, gold chain, ring, clothes and silver articles. At the time of marriage, they gave 1 necklace, 3 sets of earrings, 1 set of bangles, gold chain and sarees and marriage was performed and thereafter, both of them joined the matrimonial house. Initially they stayed at Bhadravathi and later on, they shifted to Mysore. It is stated in the complaint that in the said wedlock, the complainant gave birth to a child and thereafter, accused No.1 used to make galata for trivial issues and developed bad habits of smoking and also was addicted to alcohol. The accused No.1 subjected her for both mental and physical cruelty and he was having illicit relationship with one Shilpa. The accused No.1 was insisting to get money from her parents and she was driven out of the house and when he demanded Honda City car, the same was also purchased, but he was using the said car to accompany with accused No.5 Shilpa. It is also an allegation in paragraph No.4 of the complaint that when she became pregnant, she was subjected to forcible abortion and again demanded Rs.5 lakhs and continued both physical and mental harassment. Hence, accused No.1 was called to the police station and matter was



CNR: KAHC010450262018

NC: 2026:KHC:55656
CRL.P No. 6207 of 2018

compromised in the presence of well wishers, but accused No.1 continued the very same conduct in Mysore. When the same conduct was continued by accused No.1, she left the matrimonial home and joined her parental house at Bhadravathi. In paragraph No.5 of the complaint, it is stated that when the panchayath was called, these petitioners also accompanied accused No.1 on 04.12.2016 and he demanded an amount of Rs.10,00,000/- to quit the relationship with the said Shilpa. An allegation is made against these petitioners that they also supported accused No.1. In paragraph No.6, an allegation is made that these petitioners have instigated accused No.1 and hence, sought for action against all of them for the offence under Sections 498A, 506, 504, 323 read with Section 34 of IPC and Sections 3 and 4 of the Dowry Prohibition Act. Based on the private complaint when the matter was referred, FIR was registered as per Annexure-D. The police investigated the matter and filed the charge-sheet, wherein cited the witnesses CW1 to CW11. Having taken the cognizance, the petitioners have approached this Court.



4. The main contention of the learned counsel for the petitioners is that it is a case of false implication of the in-laws of the complainant. The marriage of petitioner No.3 was taken place in the year 2011 and she was staying with her husband and then remarried in the year 2017 and she was not at all staying with the parents nor with respondent No.2. A false complaint is filed against her only to settle the score for the matrimonial discord between accused No.1 and the complainant/respondent No.2. Even otherwise, a plain reading of the prosecution papers does not disclose any criminal act on the part of the petitioners. They were falsely implicated in the criminal case in order to see that she will get share in the self-acquired property of petitioner Nos.1 and 2. A plain reading of the private complaint, does not levy any allegations against these petitioners and only vague statement is made. There is no any prima facie material against these petitioners. The petitioners were falsely implicated in the case only to take revenge against them with an intention that love marriage should be accepted by the petitioners. Hence, prayed this Court to quash the proceedings.



5. The learned counsel for the petitioners in his arguments would vehemently contend that in the averments made in the complaint, particularly in paragraph No.2, it is stated that after the marriage they stayed for some time in Bhadravathi and thereafter, they shifted to Mysore. The allegations made in the private complaint is only in respect of accused No.1 that he subjected her for both mental and physical cruelty and an omnibus allegation is made against these petitioners that they supported the words of accused No.1, that too particularly in respect of the incident dated 04.12.2016 when the panchayath was held. In paragraph No.6 an allegation is made that at the instigation of these petitioners, she was subjected to harassment.

6. Per contra, the learned counsel for respondent No.2/complainant brought to the notice of this Court the contents of the complaint, wherein specific allegations are made. The learned counsel mainly relies upon the averments made in paragraph Nos.3, 4 and 5 of the complaint. The learned counsel would contend that the statement of witnesses was recorded before the Investigating Officer, wherein they



CNR: KAHC010450262018

NC: 2026:KHC:55656
CRL.P No. 6207 of 2018

have categorically deposed with regard to subjecting her for mental and physical cruelty, particularly the incident dated 04.12.2016 was narrated by the witnesses, who have witnessed the incident. Hence, it is a matter of trial and the same cannot be quashed.

7. The learned High Court Government Pleader appearing for respondent No.1/State also contend that it is a matter of trial and at this stage, the proceedings cannot be quashed.

8. Having heard the learned counsel for the respective parties, Annexure-C is the complaint and based on the private complaint, the matter was referred for investigation. The Court has to take note of the contents of the complaint. No doubt, in paragraph No.2 of the complaint it is stated that immediately after the marriage, the complainant and accused No.1 stayed for some time at Badravathi and then shifted to Mysore. But nowhere in the complaint it is stated that all of them are residing together. Having perused the contents of paragraph No.3 of the complaint, specific allegations are made against accused No.1 that he subjected her for both mental and



physical cruelty and that he was having an illicit relationship with one Shilpa and also demand was made to get Honda City car and the same was purchased. But the car was used to roam with accused No.5/Shilpa. It is also alleged that when she became pregnant, she was subjected to forcible abortion and also demanded an amount of Rs.5,00,000/-. Paragraph No.4 of the complaint discloses an allegation against accused No.1 and so also paragraph No.5 discloses that a panchayath was held, wherein these petitioners have participated in the panchayath. The only allegation made against these petitioners is that they supported accused No.1 when he demanded an amount of Rs.10,00,000/- to leave the relationship with Shilpa and also caused threat. But no specific overt-act allegations are made against these petitioners that they have assaulted or part of cruelty. A specific allegation is made against accused No.1 that he went inside the room and assaulted the complainant. But no specific overt-act allegation is made against these petitioners that they also joined along with him in assaulting her. In paragraph No.6, an allegation is made that these petitioners were instigating accused No.1. But petitioner No.3 specifically



CNR: KAHC010450262018

NC: 2026:KHC:55656
CRL.P No. 6207 of 2018

pleaded in the petition that she married in 2011 and was living with her husband and later she re-married in 2017 and was staying separately and was not staying with the complainant and the husband of the complainant.

9. Having taken note of the material available on record, in paragraph No.2 of the complaint, specific accusation is made against petitioner Nos.1 and 2 that they demanded and accepted an amount of Rs.1,00,000/- as dowry and also specific demand was made with regard to the gold ornaments and silver articles and subsequently, subjected her for mental and physical cruelty. But with regard to the specific overt act, there is no any specific allegation against these two petitioners. When such being the case, when an omnibus allegation is made against the in-laws, the Apex Court in several judgments has come to the conclusion that in a family dispute between the husband and wife, it is a trend to implicate the in-laws also. In the complaint nowhere specific averments are made that all of them are residing together and particular date of incident subjecting her for cruelty by the in-laws is also not stated, except stating that the petitioners were supporting the



statement of accused No.1. When such being the case, continuing the criminal proceedings against these petitioners is nothing but an abuse of process, which leads to miscarriage of justice. There cannot be any omnibus statement in a case of criminal case roping all the family members and there must be specific allegations.

10. The learned counsel for respondent No.2/complainant relies upon the judgment of this Court passed in Crl.P.No.100155/2019 dated 26.02.2019 and brought to the notice of this Court the discussion made by this Court in paragraph No.9, wherein this Court discussed with regard to specific overt act allegations made against petitioner Nos.1 to 3 and also an observation is made that while considering the factual aspects, the Court must consider the material on record with due care and caution and dismissed the petition. The discussion made in paragraph No.9 of the said judgment will not come to the aid of respondent No.2 having taken note of specific averments made in the complaint and the complaint Annexure-C is the genesis for making an allegation against these petitioners. When such being the case, it is a fit case to



CNR: KAHC010450262018

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CRL.P No. 6207 of 2018**

exercise the powers under Section 482 of Cr.P.C. to quash the proceedings against these petitioners. When there was a dispute between the husband and wife and when serious allegations are made specifically against the husband, roping the in-laws and also the sister in-law of the complainant is nothing but an abuse of process. Hence, this Court comes to the conclusion that this Court can exercise the power under Section 482 of Cr.P.C.

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

ORDER

The petition is allowed and the proceedings initiated against the petitioners in C.C.No.181/2018 is quashed.

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

MD
List No.: 1 Sl No.: 11