



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 12TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE RAVI V HOSMANI

CRIMINAL PETITION NO. 7969 OF 2019

BETWEEN:

1. RAMESHA BHAT
S/O LATE PUNDAREKA BHAT
A/A 34 YEARS,
R/A KARMAYI HOUSE,
102 NEKKILADY VILLAGE
MARDALA POST, KADABA TALUK
D.K. DISTRICT - 574 230.

2. RAJESHA
S/O LATE PUNDAREKA BHAT
A/A 36 YEARS,
R/A KARMAYI HOUSE,
102 NEKKILADY VILLAGE
MARDALA POST, KADABA TALUK
D.K. DISTRICT - 574 230.

...PETITIONERS

(BY SRI. KETHAN KUMAR, ADVOCATE)

AND:

1. STATE OF KARNATAKA
BY SUP INSPECTOR OF POLICE,
HASSAN WOMEN POLICE STATION,
REPRESENTED BY STATE PUBLIC PROSECUTOR
HIGH COURT OF KARNATAKA
BANGALORE - 560 001

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by
SHARADAVANI
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Location: High
Court of
Karnataka



2. MEGHANA
D/O MAHESH
AGED ABOUT 19 YEARS
R/A KARMAYI HOUSE
102, NEKKILADY VILLAGE
MARDALA POST, KADABA TALUK
D.K. DISTRICT - 574 230.

...RESPONDENTS

(BY SRI. RAJATH SUBRAMANYAM, HCGP FOR R1;
MS. PAVANA B.K, ADVOCATE FOR
SRI. PRATHEEP K.C, ADVOCATE FOR R2)

THIS CRL.P IS FILED U/S 482 OF CR.PC PRAYING TO
QUASH THE FIR REGISTERED IN CR.NO.78/2019 BY THE
HASSAN WOMEN P.S., FOR THE OFFENCE P/U/S 498A, 504
AND 34 OF IPC AND SECTION 3 AND 4 OF D.P ACT AGAINST
THE PETITIONERS (ACCUSED NO.1 AND 2 PENDING BEFORE IV
ADDITIONAL C.J AND JMFC AT HASSAN.

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

CORAM: HON'BLE MR. JUSTICE RAVI V HOSMANI

ORAL ORDER

Challenging proceedings in pursuance of Crime
no.78/2019, registered by Hassan Women Police Station for
offences punishable under Sections 498A and 504 read with
Section 34 of IPC and Sections 3 and 4 of Dowry Prohibition



Act, 1961 (**DP Act**) against petitioners herein, this petition is filed.

2. Sri Kethan Kumar, learned counsel for petitioners submitted that marriage of petitioner no.1 and respondent no.2 (complainant) was solemnized on 09.11.2018 in 'Shree Lakshmijanardhan Temple Sabhabhavana' at Kepu Kutrappady. Thereafter on 20.12.2018, when complainant herein ran away from matrimonial home, a missing complaint as per Annexure-C was filed by petitioner no.1 with Kadaba Police Station. On next day, she was traced at maternal home. In statement recorded as per Annexure-E, she had stated that while she was studying II year B.Com., she befriended one Mohan working in Forest Department and fell in love. Though she had informed same to her parents, her marriage was fixed with petitioner no.1 forcibly. As she was not interested in marriage or living with petitioner no.1 she had run away from matrimonial home and was residing with her mother. In view of said statement, final report was filed. Thereafter on 16.08.2019, complainant had filed O.S.no.292/2019 before Prl. Civil Judge in Court of



Prl. Civil Judge & JMFC, Puttur, D.K., seeking for declaration about her marriage with petitioner no.1 herein as void.

3. In plaint averments, marriage being performed under force was reiterated. It was specifically stated that essential ceremonies of marriage were not performed, on account of which marriage was required to be declared void. It was also alleged that at time of marriage, petitioner no.1 had stated that he was an Engineer and required to go abroad, but later found to be an Archak in a small temple. Therefore, marriage was based on fraud. Said suit ended in a compromise petition. On 10.10.2019, as per terms of compromise decree, marriage was declared invalid and neither of parties were to have any claims on other. It was submitted that after entering into compromise, on 25.10.2019, present complaint was filed alleging that complainant was forced to consume poison on account of harassment by petitioner no.1 with demand for Rs.5,00,000/- as dowry. It was submitted that there were no allegations of demand for dowry in complaint. Further, compromise decree would not come in scope for any claims on each other. Therefore, there would be no basis for petitioner



no.1 in making any demands. It was submitted that in light of above facts and circumstances, filing of complaint and its registration was nothing but abuse of process of law and sought for quashing of same.

4. Learned High Court Government Pleader, on other hand, opposed petition.

5. Smt.Pavana B.K., learned counsel appearing for respondent no.2 - complainant submits that there were serious allegations of harassment with demand for dowry, leading to complainant consuming poison. It was denied that there was abuse of any process of law and in view of seriousness of charges, sought for dismissal of petition.

6. Heard learned counsel and perused material on record.

7. At outset, dates of events would be relevant for purpose of order are noted. Marriage of petitioner no.1 and complainant was solemnized on 09.11.2018. On 20.12.2018, a missing complaint was lodged by petitioner no.1 when complainant could not be traced in matrimonial home. On next



day, she was traced in her maternal home. In statement recorded by Police, at that time there are no allegations of harassment or demands for dowry. On other hand, complainant stated that she was not interested in marriage and was forced into it.

8. Subsequently, a suit was filed by her for declaration of marriage as void on account of failure to perform all essential ceremonies of marriage and allegation that petitioner no.1 played fraud by claiming himself to be an Engineer when he was only an Archaka in a small temple. There were no allegation of demand of dowry in suit. Suit ended in compromise on 10.10.2019 with condition no.2 specifically providing that either of parties would not have any claim from other.

9. About 15 days after said compromise, complaint is filed alleging that complainant had married petitioner no.1 and on ground that she belonged to different caste and was not suitable and there was demand for dowry and due to harassment for dowry she was forced to consume poison and took treatment at Hospital and filed complaint for offences



punishable under Sections 498A and 504 read with Section 34 of IPC and Sections 3 and 4 of D.P. Act.

10. At outset, in absence of marriage as well as on ground that there were no allegations of demand of dowry either in statement recorded by Police on missing complaint filed by petitioner no.1 or in complaint, allegation would be unsustainable. Definition of "*dowry*" includes a demand by one party to a marriage to other, or by parents of either party to marriage. since marriage was declared void, both on ground that marriage was declared void as well as absence of any allegations in complaint, registration of complaint for offences insofar as Sections 3 and 4 of D.P. Act would be an abuse of process of law.

11. Insofar as Section 498A of IPC also offence would arise only in case of a husband or relatives of husband subjecting women to cruelty. As on date of allegation, there was no relationship of husband and wife subsisting as marriage was in fact declared to be void. Even offence under Section 504 of IPC would sustain only in case of an incident of



intentional insult with intent to provoke breach of peace, which is absent.

12. In view of above, continuation of proceedings against petitioners would be an abuse of process of law. On said ground, Petition is ***allowed***. Proceedings in Crime no.78/2019 registered by Hassan Women Police Station for offences punishable under Sections 498A and 504 read with Section 34 of IPC and Sections 3 and 4 of Dowry Prohibition Act, 1961 against petitioners is quashed.

Sd/-
(RAVI V HOSMANI)
JUDGE

HNM
List No.: 1 Sl No.: 11