



CNR: KAHC010499772019

NC: 2026:KHC:48729  
CRL.P No. 44 of 2020

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 8<sup>TH</sup> DAY OF SEPTEMBER, 2026**

**BEFORE**

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

**CRIMINAL PETITION NO.44 OF 2020**

**BETWEEN:**

1. SRI. MAHESHA  
S/O VENKATESH  
AGED ABOUT 32 YEARS  
R/AT 74/1, 3<sup>RD</sup> CROSS  
KAMASHIPALYA  
SANNAKKI BAYALU  
BENGALURU-560079.
2. SRI. VENKATESHA  
S/O CHIKKA KARIGOWDA  
AGED ABOUT 73 YEARS
3. SMT. YASHODAMMA  
W/O VENKATESHA  
AGED ABOUT 65 YEARS  
  
BOTH PETITIONER 2 AND 3 ARE  
R/AT SINGARAJAPURA VILLAGE  
VIRPAKSHAPURA HOBLI  
CHANANPATNA TALUK  
RAMANAGARA DISTRICT-562138.
4. SMT. RADHA S V  
W/O MADEGOWDA  
AGED ABOUT 40 YEARS,  
R/AT NO.73/1, 3RD CROSS  
VRUSHABAVATHI NAGAR

Digitally signed  
by DEVIKA M  
Location: HIGH  
COURT OF  
KARNATAKA



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SANNAKKI BAYALU  
KAMAKSHIPALYA  
BENGALURU-79.

5. SMT. PARVATHI  
W/O KARIYAPPA  
AGED ABOUT 38 YEARS  
R/AT NO.16, 1ST 'A' CROSS  
VRUSHABAVATHINAGAR  
SANNAKKIBAYALU  
KAMAKSHIPALYA  
BENGALURU-79.

...PETITIONERS

(BY SRI. R. KUMAR, ADVOCATE)

**AND:**

1. THE STATE BY  
JNANABHARATHI POLICE STATION  
BENGALURU-560 056  
REP. BY STATE PUBLIC PROSECUTOR  
ADVOCATE GENERAL OFFICE  
BENGALURU-01.
2. SMT. HARSHITHA  
W/O SRI MAHESHA  
AGED ABOUT 22 YEARS,  
R/AT H. KOTTANURU  
KASABA HOBLI, KANAKPUR  
RAMANAGAR DISRICT-562117

...RESPONDENTS

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

THIS CRIMINAL PETITION IS FILED UNDER SECTION 482 OF CR.PC PRAYING TO QUASH THE CHARGE SHEET DATED 18.10.2019 IN C.C.NO.24766/2019 IN RESPECT OF THESE PETITIONERS FOR THE OFFENCES PUNISHABLE UNDER SECTIONS 498A, 504, 506 R/W 34 OF IPC AND SECTIONS 3 AND 4 OF DOWRY PROHIBITION ACT 1961 OF THE FIRST RESPONDENT/JNANABHARATHI POLICE STATION, ON THE FILE



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OF THE IX ADDITIONAL CHIEF METROPOLITAN MAGISTRATE, BENGALURU AND TO QUASH THE FURTHER PROCEEDINGS IN C.C.NO.24766/2019 ON THE FILE OF THE IX ADDITIONAL CHIEF METROPOLITAN MAGISTRATE, BENGALURU.

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 learned counsel for the petitioners, learned High Court Government Pleader for respondent No.1 and learned counsel for respondent No.2.

2. The prayer made in this petition is to quash the proceedings initiated against the petitioners in C.C.No.24766/2019 for the offence punishable under Sections 498-A, 504 and 506 read with Section 34 of IPC and also Sections 3 and 4 of Dowry Prohibition Act, 1961 and pass such other order.

3. The factual matrix of case of the prosecution is that respondent No.2/complainant marriage was performed with her husband on 29.03.2018. At the time of marriage, the petitioners demanded an amount of Rs.5,00,000/- with gold



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ornaments and an amount of Rs.5,00,000 was paid and also provided gold ornaments as demanded and marriage was performed. Thereafter, she has joined the matrimonial house. For sometimes, she was very cordial with the husband and thereafter, the petitioners have demanded additional dowry and an amount of Rs.1,00,000/- was paid and subsequently, panchayath was conducted and in the said panchayath also agreed to pay an amount of Rs.2,00,000/- and additional payment of Rs.2,00,000/- was paid. The demand was made by all the petitioners herein and accepted the same and all the petitioners continued the cruelty and harassment. Hence, complaint was filed on 06.09.2019 and Police have registered the case in Crime No.194/2019. The Police have also investigated the matter, recorded the statement of witnesses who have participated in the marriage talks and also with regard to the payment is concerned.

4. Learned counsel appearing for the petitioners would vehemently contend that very initiation of criminal proceedings against the petitioners is an afterthought. The counsel brought to notice of this Court that very husband had lodged the



complaint before the Police on 26.07.2019 and in pursuance of the same, as per Annexure-F, an acknowledgement was issued and the wife was also secured and she gave an undertaking that she will not trouble the family members and will continue her marital relationship without making any galata vide endorsement dated 07.08.2019. The counsel also contend that this complaint is an afterthought and if really, the petitioners have demanded money and accepted the same, they would have mentioned the same in the undertaking letter given by the wife at the first instance itself. But, this complaint was filed on 06.09.2019 subsequent to complaint given by the husband and a false allegation is made with regard to demand and acceptance as well as additional demand of dowry and subjecting her for cruelty by all the members of the family. The counsel would contend that it is a clear case of complaint given afterthought only with an intention to harass the petitioners and it is nothing but an abusive of process.

5. Per contra, learned High Court Government Pleader for respondent No.1-State would submit that based on the complaint averment, case was registered, the Police have



investigated the matter and recorded the statement of witnesses and filed the charge sheet.

6. Learned counsel appearing for respondent No.2-complainant would vehemently contend that there are specific allegations against each of the petitioners that they all participated in the marriage talk when the marriage talk was held in the house of Bommegowda and they demanded the cash as well as gold ornaments and the same was agreed, given and performed the marriage. Even after the marriage also, she was subjected to harassment and made additional demand and part payment of Rs.1,00,000/- was paid and subsequently by conducting panchayath, an amount of Rs.2,00,000/- was also paid. Hence, whether demand was made or not and also whether she was subjected to cruelty or not is a matter of trial.

7. Having heard learned counsel appearing for the petitioners, learned High Court Government Pleader appearing for respondent No.1 and learned counsel for respondent No.2, the accused gave the first complaint on 26.07.2019 and an endorsement was issued by the Police in terms of Annexure-F



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and so also an undertaking was given by the wife. But, within a span of 2 months, a complaint was filed, wherein specific allegations are made with regard to demand and acceptance and also subjecting her for cruelty and additional demand of dowry and payment of additional dowry of Rs.2,00,000/-. Having taken note of complaint given by the husband and endorsement issued and also an undertaking given by the wife, the same is a matter of trial and the accused can raise the defence at the time of trial by considering those documents. But, when the specific allegations are made in the complaint as well as statement of witnesses were recorded and those who have participated in the marriage talk also made the statement regarding demand and acceptance and also a panchayath was held subsequently and the same is a matter of trial. At this stage, the Court cannot quash the proceedings initiated against the petitioners.

8. The Court only has to take note of the contents of the complaint and also the statement of witnesses and when the witnesses speak about the demand and acceptance and also subjecting the respondent No.2/complainant for cruelty,



the same is a matter of trial. Hence, I do not find any grounds to quash the proceedings in coming to the conclusion that a false case is registered against the petitioners without conducting the trial. It is also important to note that at the time of considering the petition under Section 482 of Cr.P.C., the Court cannot conduct any mini trial. Therefore, I do not find any ground to quash the proceedings.

9. In view of the discussion made above, I pass the following:

ORDER

The criminal petition is ***dismissed.***

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

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List No.: 1 Sl No.: 27