



CNR: KAHC010513242024

NC: 2026:KHC:53624
CRL.P No. 11740 of 2024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE RAJESH RAI K

CRIMINAL PETITION NO. 11740 OF 2024

BETWEEN:

SRI. NAVEEN. C. C.
SON OF CHIKKEGOWDA,
AGED ABOUT 31 YEARS
RESIDING AT GANGANADI NILAYA,
HOUSING BOARD COLONY,
KUNIGAL TALUK
TUMKUR DISTRICT - 572130

...PETITIONER

(BY SRI. SIDDAMALLAPPA P.M, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY
BASAVANAGUDI WOMEN'S
POLICE STATION,
BENGALURU CITY,
PIN CODE - 560004
REPRESENTED THROUGH SPP
GOVERNMENT OF KARNATAKA
HIGH COURT BUILDING
BENGALURU - 560001

Digitally signed
by PANKAJA S
Location: HIGH
COURT OF
KARNATAKA



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2. SMT DIVYA H
WIFE OF SRI NAVEEN C.C
DAUGHTER OF SRI HANUMANTHARYAPPA B
AGED ABOUT 29 YEARS
RESIDING AT NO.50, 6TH CROSS,
PARAMOUNT GARDEN,
THALAGHATTAPURA
BENGALURU -560 062

...RESPONDENTS

(BY SRI. MAHESHA P, HCGP FOR R1,
SRI. VISHNUMURTHY, ADVOCATE FOR R2)

THIS CRL.P IS FILED U/S 482 OF CR.PC (FILED U/S 528
BNSS) PRAYING TO SET ASIDE THE CRIMINAL PROCEEDINGS
ORDER DATED 13.06.2024 IN C.C.NO.18796/2024 BY
LEARNED 37TH A.C.M.M BENGALURU FOR THE OFFENCES
P/U/S 498(A) AND 504 OF IPC R/W SECTION 3 AND 4 OF
DOWRY PROHIBITION ACT, IN CRIME NO.213/2023 OF
BASAVANAGUDI WONES POLICE STATION, AS PER ANNEXURE-
A TO D.

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



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CORAM: HON'BLE MR. JUSTICE RAJESH RAI K

ORAL ORDER

This petition is filed under Section 482 of Cr.P.C seeking to quash proceedings against the petitioner - accused in C.C.No.18796/2024 (arising out of Crime No.213/2023 registered by Basavanagudi Women Police Station), for the offences punishable under Sections 498A, 504 of IPC and Sections 3 and 4 of Dowry Prohibition Act, 1961 (for short, 'the DP Act'), presently pending on the file of XXXVII Additional Chief Metropolitan Magistrate, Bengaluru (for short, 'the learned Magistrate').

2. The brief facts of the case are that, respondent No.2 lodged a complaint before respondent No.1-Police on 28.07.2023, alleging that her marriage with the petitioner was solemnized on 05.03.2021 at MVM Convention Hall, Nelamangala. It is alleged that, at the time of marriage, the petitioner and his family members demanded gold and silver ornaments and cash of Rs.10,00,000/- as dowry, which was given by the parents of respondent No.2. After the marriage, respondent No.2 joined the matrimonial home and the marital



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relationship between the parties remained cordial for a few months. Thereafter, the petitioner and his family members allegedly subjected respondent No.2 to physical and mental harassment and demanded additional dowry. It is further alleged that family members of petitioner insisted the petitioner to purchase landed property situated at Kunigal. However, the petitioner and respondent No.2 jointly purchased a house at Konanakunte, Bengaluru. Despite the same, the petitioner allegedly continued to subject respondent No.2 to physical and mental harassment. It is further alleged that, on 18.10.2022, the petitioner insisted that respondent No.2 should give him divorce and, on 06.07.2023, threatened to pour acid on her if she failed to do so. Hence, respondent No.2 lodged the complaint before respondent No.1-Police.

3. On the strength of the said complaint, respondent No.1-Police registered the FIR against the petitioner and other accused i.e. his family members for the offences punishable under Sections 498A, 504, 341 and 387 of IPC and Sections 3 and 4 of the DP Act. After investigation, the respondent No.1-police laid the charge-sheet against the petitioner alone for the



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offences punishable under Sections 498A and 504 of the IPC and Sections 3 and 4 of the DP Act, while dropping the other accused. Accordingly, the learned Magistrate took cognizance of the aforesaid offences against the petitioner. Being aggrieved by the same, the petitioner has preferred the present petition.

4. Heard the learned counsel for the petitioner, learned HCGP for respondent No.1-State and learned counsel for respondent No.2.

5. The primary contention of the learned counsel for the petitioner is that, even if the allegations contained in the complaint and the charge-sheet materials are taken at their face value, no offence is made out against the petitioner for the offences punishable under Sections 498A and 504 of the IPC and Sections 3 and 4 of the DP Act. He further contended that respondent No.2 had herself left the matrimonial home without there being any harassment as alleged in the complaint. In such circumstances, it is contended that the charge-sheet has been filed against the petitioner on the basis of omnibus allegations. Hence, continuation of the proceedings against the



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petitioner would amount to an abuse of the process of the Court. Accordingly, learned counsel prays to allow the petition.

6. *Per contra*, the learned counsel for respondent No.2 and the learned HCGP opposed the prayer of the petitioner, contending that the investigation has culminated in filing of the charge-sheet against the petitioner and the statements of the material witnesses *prima facie* disclose the commission of the alleged offences by the petitioner. It is further contended that the material witnesses, including the family members of respondent No.2, have categorically spoken about the harassment meted out to respondent No.2 by the petitioner. In such circumstances, they submit that the allegations require to be tested in a full-fledged trial and the proceedings cannot be quashed at this stage. Accordingly, they pray for dismissal of the petition.

7. I have given my anxious consideration to the submission made by the learned counsel for the respective parties so also perused the entire materials available on record.



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8. As could be gathered from the records, the averments made in the complaint disclose that, at the time of marriage, the petitioner demanded dowry in the form of cash, gold and silver ornaments. It is alleged that, pursuant to the said demand, the parents of respondent No.2 paid Rs.10,00,000/- in cash and gave 480 grams of gold and 2 kg of silver as dowry to the petitioner. It is further alleged that the petitioner subjected respondent No.2 to physical and mental harassment demanding additional dowry and that the petitioner also insisted that respondent No.2 should give him divorce.

9. The said allegations are further corroborated by the statements of the material witnesses, including the family members of respondent No.2 and other witnesses, namely, CWs.2 to 5. Admittedly, the petitioner is the husband of respondent No.2 and the marriage between them is not in dispute. It is also not in dispute that respondent No.2 resided with the petitioner for about one year three months after the marriage. In view of the specific allegations made in the complaint and the material collected during the course of investigation, the same is require to be tested in a full-fledged



trial. Therefore, at this stage, this Court cannot undertake a detailed appreciation of the evidence or adjudicate upon the veracity of the allegations.

10. 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 this Court to interfere as held in the case of **SAU. KAMAL SHIVAJI POKARNEKAR VS. STATE OF MAHARASHTRA AND OTHERS** reported in **2019 (14) SCC 350**.

11. In the instant case, the charge sheet materials discloses a *prima facie* case against the petitioner for the offences which he is charge sheeted. In such circumstances,



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the same has to be tested in detailed trial. Hence, without expressing any opinion on the merits of the case, suffice to hold that the proceedings cannot be quashed at this stage. Accordingly, the petition lacks merits and the same is ***dismissed.***

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

CR
List No.: 1 Sl No.: 5