HC-KAR

NC: 2026:KHC:61705
CRL.P No. 866 of 2023

CNR: KAHC010040362023

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 5TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 866 OF 2023

BETWEEN:

1. SRI APA REDDY
   S/O LATE NANJUNDA REDDY
   AGED ABOUT 55 YEARS.

2. SRI SHIVARAMA REDDY
   S/O LATE NANJUNDA REDDY
   AGED ABOUT 53 YEARS.

3. SRI MANJUNATH REDDY
   S/O PAPA REDDY
   AGED ABOUT 37 YEARS.

4. SMT. ANUSHA
   D/O MANJUNATH REDDY
   AGED ABOUT 30 YEARS.

   THE PETITIONER NO.1 TO 4
   ARE R/AT H. HOSAKOTE VILLAGE
   AND POST, LAKKUR HOBLI
   MALUR TALUK, KOLAR DISTRICT - 563 160.

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Location: HIGH COURT OF KARNATAKA

5. SRI PRAKASH REDDY
   S/O LATE NARAYANA REDDY
   AGED ABOUT 68 YEARS
   R/AT HOSAKOTE VILLAGE
   LAKKUR HOBLI
   MALUR TALUK, KOLAR - 563 160.

6. SRI GOPAL REDDY
   S/O LATE NAGA REDDY
   AGED ABOUT 54 YEARS.

7. SMT INDU
   W/O MANJUNATH REDDY
   AGED ABOUT 40 YEARS.

8. SRI SRINIVASA REDDY
S/O PRAKASH REDDY
AGED ABOUT 43 YEARS
R/AT HOSAKOTE VILLAGE
LAKKUR HOBLI, MALUR TALUK
KOLAR - 563 160.

9. SRI CHETHAN
S/O VENKATASWAMY
AGED ABOUT 38 YEARS.

THE PETITIONER NO.6,7 AND 9
ARE R/AT TIRUVARANGA VILLAGE
ANUGONDANAHALLI HOBLI
HOSAKOTE TALUK
BANGALORE RURAL DISTRICT - 560 067.

…PETITIONERS

(BY SRI SOMASHEKHARA HARVI, ADV., FOR
SRI KRISHNA R, ADV.)

AND:

1. STATE OF KARNATAKA
BY ANEKAL P.S
REPRESENTED BY THE STATE
PUBLIC PROSECUTOR
HIGH COURT OF KARNATAKA
BENGALURU - 560 001.

2. SMT. TRIVENI
D/O LATE NAGARAJ REDDY
W/O LATE VENKATESH REDDY
AGED ABOUT 30 YEARS
R/A 425, SHARADAMMA BADAVANE
ATTIBELE ROAD, 8TH WARD
ANEKAL TOWN, ANEKAL TALUK
BENGALURU - 560 106.

…RESPONDENTS

(BY SRI CHANNAPPA ERAPPA, HCGP FOR R-1;
R-2 SERVED, BUT UNREPRESENTED)

THIS CRL.P IS FILED U/S.482 CR.P.C PRAYING TO QUASH THE PROCEEDINGS IN C.C.NO.2056/2019 ORIGINATED FROM CR.NO.47/2019 OF 1ST RESPONDENT POLICE, FOR THE OFFENCES

P/U/S 498(A), 504, 323, 506 R/W 34 OF IPC AND SECTION 3 AND 4 OF D.P. ACT, WHICH IS PENDING ON THE FILE OF PRINCIPAL CIVIL JUDGE AND J.M.F.C., ANEKAL.

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

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

1. Accused nos.2 to 10 in C.C.No.2056/2019 pending before the Court of Prl. Civil Judge & JMFC, Anekal, arising out of Crime No.47/2019 registered by Anekal Police Station, for the offences punishable under Sections 498A, 504, 323, 506 read with 34 IPC and Sections 3 & 4 of Dowry Prohibition Act, 1961, are before this Court in this petition filed under Section 482 of Cr.PC with a prayer to quash the entire proceedings in the aforesaid case as against them.

2. Heard the learned Counsel for the petitioners and the learned HCGP for respondent no.1. Respondent no.2 who is served in the matter, has remained unrepresented before this Court.

3. Material on record would go to show that accused no.1 - Venkatesh Reddy was the husband of respondent no.2 who is the first informant in the present case. It appears that marriage

of accused no.1 with respondent no.2 was solemnized on 06.10.2019 and after the marriage, they were residing separately in a rented premises. In the first information as well as in the charge sheet, it is alleged that accused no.1 had given false information about his educational qualification and also his employment at the time of marriage. Subsequently, respondent no.2 came to know that her husband was unemployed. Accused no.1 allegedly was ill-treating respondent no.2 in his house after consuming alcohol. It is alleged that on 24.11.2018, accused no.1 after consuming alcohol, had assaulted respondent no.2 who was feeding milk to her minor child, and thereafter had thrown respondent no.2 and the child out of the house. It is under these circumstances, respondent no.2 had approached the police.

4. The allegation as against the petitioners herein who are all relatives of accused no.1, are omnibus in nature. Undisputedly, they were not staying with accused no.1 and his wife after their marriage. It is brought to the notice of this Court that accused no.1 has committed suicide and died on 20.01.2021.

5. In the case of **PREETHI GUPTA & ANOTHER VS STATE OF JHARKHAND & ANOTHER - (2010)7 SCC 667**, the Hon'ble Supreme Court has observed that criminal proceedings initiated against the relatives of the husband based on omnibus allegations, cannot be sustained. Under the circumstances, I am of the opinion that continuation of impugned criminal proceedings as against the petitioners would amount to abuse of process of law. Accordingly, the following order:

6. Petition is allowed. The entire proceedings in C.C.No.2056/2019 pending before the Court of Prl. Civil Judge & JMFC, Anekal, arising out of Crime No.47/2019 registered by Anekal Police Station, for the offences punishable under Sections 498A, 504, 323, 506 read with 34 IPC and Sections 3 & 4 of Dowry Prohibition Act, 1961, is hereby quashed as against the petitioners herein.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE

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