HC-KAR

NC: 2026:KHC:63006
WP No. 2128 of 2025

CNR: KAHC010045222025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 13TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE V SRISHANANDA

WRIT PETITION NO.2128 OF 2025 (GM-RES)

BETWEEN:

SRI RAMPRAVESH SINGH
S/O BHARAT SINGH,
AGED ABOUT 52 YEARS,
R/AT NO.PLOT NO.31C,
SURVEY NO.433/1,
KIADB INDUSTRIAL AREA
SHIVALLY, MANIPAL,
MANGALORE-576 104

...PETITIONER

(BY SRI B.N.MAHESH CHANDRA FOR SRI MANIKANTA H B, ADVOCATES)

Digitally signed by R MANJUNATHA
Location: HIGH COURT OF KARNATAKA

AND:

1. STATE OF KARNATAKA
   BY KONANKUNTE POLICE STATION,
   BENGALURU-560 062

   [REPRESENTED BY PUBLIC PROSECUTOR,
   HIGH COURT OF KARNATAKA
   AT BANGALORE].

2. SUCHITRA SINGH
   D/O MADAN GOPAL SINGH,

R/AT NO.1262, 11TH BLOCK,
ANJANAPURA EXTENSION,
GOTTIGERE,
BANGALORE-560 083

…RESPONDENTS

(BY SMT.K.P.YASHODHA, ADDITIONAL GOVERNMENT ADVOCATE FOR R1;

VIDE ORDER DATED 12.11.2026, NOTICE TO R2 IS HELD SUFFICIENT)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA R/W SECTION 482 CODE OF CRIMINAL PROCEDURE PRAYING TO QUASH THE CHARGE SHEET AND SUBSEQUENT PROCEEDINGS IN C.C.NO.4813/2023 PENDING BEFORE THE XXX ADDL. CHIEF JUDICIAL MAGISTRATE AT BENGALURU, PUNISHABLE UNDER SECTION 498A, 420, 34 OF INDIAN PENAL CODE AND SECTION 3 AND 4 OF THE DOWRY PROHIBITION ACT AND ETC.,

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

CORAM: HON'BLE MR. JUSTICE V SRISHANANDA

ORAL ORDER

Heard Sri B.N. Mahesh Chandra, appearing on behalf of Sri Manikanta H.B., learned counsels for the petitioner and Smt. K.P. Yashodha, learned Additional Government Advocate for respondent No.1. Respondent No.2 is served with notice of the writ petition and remained absent.

2. Petition under Article 226 and 227 of Constitution of India r/w Section 482 of Code of Criminal Procedure with the following prayer:

> "Wherefore, the petitioner most respectfully prays that this Hon'ble Court be pleased to :
>
> > *Issue a writ or such other order to quash the charge sheet and subsequent proceedings in CC No.4813/2023 pending before the XXX Addl.Chief Judicial Magistrate at Bengaluru, punishable under Section 498A, 420, 34 of IPC and Section 3 and 4 of the Dowry Prohibition Act, as per Annexure-C and E1 dated 18.11.2023."*

3. Brief facts which are utmost necessary for disposal of the present petition are as under:

3.1. Second respondent married the first accused - Vinod Singh, who is the son of the present petitioner. It was a sort of an arranged marriage through website matrimonial site. Petitioner herein being the resident of Manipal, Mangaluru attended the marriage of accused No.1 with respondent No.2 at Bengaluru. Thereafter, first accused and second respondent lived at Bengaluru in a separate residence.

3.2. On account of strained matrimonial relationship, complaint came to be filed for the offence punishable under Section 498A of Indian Penal Code ('IPC' for short) with Konankunte Police Station which has been thoroughly investigated and charge sheet came to be filed.

3.3. Except the omnibus allegations found against the petitioner who is the father of accused No. 1, no other details are forthcoming as to how the present petitioner is responsible for the offence under Section 498A of IPC.

3.4. Further, the petitioner is residing at Mangaluru, second respondent and first accused resided at Bengaluru and

therefore the petitioner is seeking quashing of the pending proceedings.

4. Per contra, Smt. K.P. Yashodha, learned Additional Government Advocate would submit that the matter needs to be tried as Investigation Agency has collected necessary materials to proceed against the present petitioner also.

5. Having heard the arguments of both sides, this Court noted that petitioner herein is permanent resident of Mangaluru. Marriage proposal was not made by the present petitioner with the second respondent and it is an arrangement between the first accused and the second respondent.

6. Even according to the counsel for petitioner, the only event that took place so far as the petitioner in the marital life of the first accused and the second respondent is that he attended the marriage at Bengaluru which was arranged by the first accused and respondent No.2 by themselves.

7. According to the petitioner, he having residing in Mangaluru, was not aware of the strained matrimonial

relationship between the first accused and the second respondent and therefore, case against him is to be quashed.

8. Taking note of the fact that the petitioner is the permanent resident of Mangalore and did not share the common roof along with the accused and respondent No.2, following the dictum of the Hon'ble Apex Court in the case of ***Kahkashan Kausar Alias Sonam vs. State of Bihar and others*** reported in ***(2022) 6 SCC 599***, and also noting the fact that except the omnibus allegation against the petitioner, this Court is of the considered opinion that continuation of the criminal case insofar as the petitioner is concerned would amount to abuse of process of law.

9. Accordingly, following:

ORDER

(i) Petition is ***allowed***.

(ii) Consequently, pending proceedings in CC No.4813/2023 (Cr.No.256/2022 of Konanakunte Police Station), on the file of Additional Chief

Metropolitan Magistrate at Bengaluru qua the petitioner/accused No.2 is hereby quashed.

(iii) It is made clear that quashing of the criminal case qua the petitioner/accused No.2 shall not affect the rights of the prosecution insofar as accused No.1 is concerned.

Sd/-
(V SRISHANANDA)
JUDGE

MR
List No.: 1 Sl No.: 17
CT:VRR