HC-KAR
NC: 2026:KHC:59443
CRL.P No. 2886 of 2021
CNR: KAHC010143552021

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

**DATED THIS THE 27TH DAY OF OCTOBER, 2026**

**BEFORE**

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

**CRIMINAL PETITION NO. 2886 OF 2021 (482(Cr.PC) / 528(BNSS))**

**BETWEEN:**

1. SRI. RENUKAPPA
   S/O LATE SHIVALINGAPPA
   AGED ABOUT 62 YEARS,
   R/AT AGUNDA VILLAGE,
   ARASIKERE TALUK
   HASSAN-573 103.

2. SMT. LALITHAMMA
   W/O SRI RENUKAPPA
   AGED ABOUT 61 YEARS
   R/AT AGUNDA VILLAGE,
   ARASIKERE TALUK
   HASSAN-573 103.

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Location: HIGH COURT OF KARNATAKA

3. SMT. CHAMPA @ CHAMPA SANDEEP
   W/O SRI.C.S.SANDEEP
   D/O SRI RENUKAPPA
   AGED ABOUT 36 YEARS,
   R/AT NO. 111/22/12
   KATHYAYENI AGASARA STREET,
   NEAR CANARA BANK
   CHIKMAGALURU-577 101.

...PETITIONERS

(BY SRI. SRINIVASA RAO S S., ADVOCATE)

**AND:**

1. STATE OF KARNATAKA
   BY SURYA NAGAR POLICE STATION

BANGALORE
REP. BY STATE PUBLIC PROSECUTOR
HIGH COURT BUILDING,
BANGALORE-560 001.

2. SMT. U.N. TRUPTHI
W/O SRI. A. R GIRISH
D/O SRI. NEELAKANTAPPA
AGED ABOUT 31 YEARS,
R/AT NO.75/4,
1ST FLOOR, SREE NAGESHWARA KSHETRA,
KITTAGANAHALLI BOMMASANDRA
INDUSTRIAL AREA POST,
ANEKAL TALUK
BANGALORE-560 099.

…RESPONDENTS

(BY SRI.MOHAMMED AYUB ALI, ADDL. SPP FOR R1
SRI.LEELESH KRISHAN FOR R2, ADVOCATE)

THIS CRL.P IS FILED U/S.482 CR.P.C BY THE ADVOCATE FOR THE PETITIONER PRAYING TO QUASH THE CRIMINAL PROCEEDINGS INITIATED VIDE CR.NO.284/2019 IN SURYA NAGAR P.S., BANGALORE DISTRICT C.C.NO.7326/2020 AGAINST THE PETITIONERS BY THE 1ST RESPONDENT POLICE FOR THE OFFENCE P/U/S 190(a)(1) OF CR.P.C. AGAINST THE PETITIONERS HEREIN FOR THE OFFENCE P/U/S 4 OF D.P. ACT AND U/S 498A R/W 34 OF IPC PENDING ON THE FILE OF II ADDITIONAL CIVIL JUDGE (JR.DN.) AND J.M.F.C., ANEKAL, BENGLAURU RURAL DISTRICT.

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 petitioners, learned counsel appearing for the respondent/complainant and also the learned counsel for the State/Complainant.

2. The factual matrix of case is that the respondent No.2/complainant in the complaint had made specific accusation against the petitioners i.e. mother-in-law, father-in-law and sister-in-law that, all of them had participated in the marriage talk and demanded 250 grams of gold and also diamond ring and 5 kgs of silver articles and also an amount of Rs.10,00,000/-. Accordingly, the marriage was performed on 13.11.2011 and immediately after the said marriage, she had joined the matrimonial home. The complainant gave birth to a daughter in 2012, thereafter in 2013 all the accused persons demanded an amount of Rs.10,00,000/- for the purchase of a property and they had agreed to repay the same. However, the complainant's parents paid an amount of Rs.5,00,000/-,

out of which Rs.1,50,000/- was returned and remaining Rs.3,50,000/- was insisted to be treated as gift. It is also specific case of the complainant that in 2015, while registering the said property again demanded an amount of Rs.16,00,000/- for registration and the same was paid. Subsequently, once again demanded an amount of Rs.2,00,000/- and the same was also paid. In 2018, in order to purchase a flat, the accused persons demanded an amount of Rs.20,00,000/- and subjected her to harassment. Accordingly, a sum of Rs.4,50,000/- was paid to them. Despite the said payment, the accused persons continued to harass the complainant for not brining the balance amount of Rs.15 lakhs from the parental house. Hence, the complaint was given on 15.08.2019 and case was registered in Crime No.284/2019 for the offence punishable under Section 498A of IPC and Section 4 of the Dowry Prohibition Act, 1961. The police have registered the case and investigated the matter and filed a charge sheet.

3. Hence, the petitioners have approached this Court seeking for the relief under Section 482 of CrPC. The petitioners are accused nos.2, 3, and 4. They are the in-laws and also the sister-in-law of the complainant. The main contention of the counsel appearing for the petitioner is that when the petition was filed under Section 12 of the DV Act in the month June 2019, no such allegations are made subjecting for demand of dowry and demanding of additional dowry and also in the petition filed, in the month of March 2019 for the MC petition, no such allegations are made in MC No.162/2019 and after that, the specific allegations are made against the petitioners. Hence, it is contended that the allegations against the petitioners have been made, solely with an intention to harass and roping in all the family members in the criminal proceedings. Learned counsel also in support of his argument relied upon the judgment of ***Maram Nirmala and Another Vs State of Telangana and Another*** reported in ***2025 SCC Online SC 2913*** in which Hon'ble

Apex Court referred the judgment passed in ***Dara Lakshmi Narayana & Ors Vs State of Telangana & Anr*** reported in (***2025) 3 SCC 735,*** in paragraph Nos.16 and 17, indeed discussed regarding the same roping of the relatives in a case of 498A of IPC and also discussed in paragraph Nos.27, 30, 31 and 34, wherein the Apex Court made an observation that it is a false case within the category 7 of the illustrative parameters highlighted in ***State of Haryana and Others vs. Bhajanlal and Others*** reported in ***1992 SCC (Cri) 426*** and hence prays this Court to quash the proceedings against these petitioners as they are the in-laws and also the sister of the husband.

4. Per contra, learned counsel appearing for the respondent brought to notice of this court, statement of objections filed and preliminary objections which are raised and so also on objections on merits, and relies upon the documents at Annexures at R1 to R4, particularly the MC No.162/2019 divorce petition, as Annexure R2 and so

also the copies of the bank statements of Sri.Neelakanthappa father of the respondent No.2 evidencing the fund transfers. Learned counsel would vehemently contend that almost Rs.41,00,000/- amount was transferred till 2018 and thereafter he started harassing the complainant and the very husband left the house of the complainant.

5. Learned counsel for the respondent also brought to notice of this court regarding the sale deed dated 13.07.2015 in respect of properties bearing Site Nos.66 and 67 which were purchased having received the money from the complainant. Learned counsel would contend that court has to see the modus operandi in gifting the property by the son, in favour of the father-in-law vide gift deed dated 25.05.2019 i.e., subsequent to the filing of the divorce petition and copy of the official encumbrance certificate for the properties bearing site Nos.66 and 67. Learned counsel would vehemently contend that these are the material clearly discloses having received the amount

at the time of marriage, as dowry, as well as subsequent to the marriage. Thereafter, from 2013 onwards until 2018, amounts were transferred and the bank statement is also been produced before this court to substantiate the said fact. Hence, it is a matter of trial.

6. Having heard learned counsel appearing for the petitioner and also the learned counsel appearing to the respondent and upon considering the recent judgment of Hon'ble Apex Court in roping of the all the family members, in criminal proceedings involving offences punishable under sections Section 498A of IPC and Sections 3 and 4 of DP Act, also learned counsel appearing for petitioner brought to notice of this Court the judgment in ***Maram Nirmala***'s case reported supra, wherein Hon'ble Apex Court discussed the judgment of Daralaxmi Narayana case in paragraph nos.16 and 17, wherein the Apex Court comes to the conclusion that the contents of the complaint is very silent about the allegations against the family members, there cannot be any criminal prosecution,

against the family members of the husband. There is no dispute with regard to the principles laid down in the judgment and Apex Court in catena of judgments held that it is a habit of roping of the family members by the wife, when the differences arises between the husband and wife. But counsel also vehemently contended that they are not living along with the parents and both husband and wife are living separately.

7. Having taken note of the factual averments of the case, there is a specific allegations made in the complaint that at the time of marriage the in-laws had demanded 250 grams of gold and also accepted an amount of Rs.10,00,000/- cash and so also the silver articles and this marriage was held in 2011. The court has to take note of Annexure-D, which contains the complaint, whether the averments made therein discloses specific allegations against the petitioners, including in-laws and also the husband. It is also relevant to note that the police have also investigated the matter and filed the charge sheet.

However, it has to be taken note of that there was a transfer of money from the account of the father of the complainant and specific accusations are also made in the contents of the complaint and the same is also substantiated by producing the bank statement, before the court. Apart from that, the gift deed is also executed in the year 2019, subsequent to the filing of M.C. petition by the husband in favour of his father and all these factors to be taken note of, with regard to the very modus operandi of the husband in transferring the property by way of gift, in favour of the father subsequent to the filing of MC petition.

8. Though learned counsel appearing for the petitioner vehemently contended that in-laws were living separately but this document came into existence in the year 2019, subsequent to the dispute arises between the husband and wife. No doubt counsel appearing for the petitioner brought to notice of this court, the contents of the petition filed under Section 13 (1)(ia) of the Hindu

Marriage Act, 1955, in MC No.162/2019 and also the petition filed under Section 12 of the Domestic Violence Act. The said Domestic Violence Act petition was filed in the month of June, 2019, subsequently the Gift Deed, executed by the husband in favour of the father. But prior to that, there was a M.C. petition filed by the husband in the month of March i.e. on 19.03.2019 itself and subsequently gift deed was executed in favour of the father by the husband and all these factors to be taken note of, only during the course of the trial, before the trial court. However, no specific allegations are made against the sister, except making an omnibus statement against the petitioner no.4, that she also joined along with the in-laws and husband demanding the additional amount. But specific accusations are made against the in-laws, as well as the husband, but in respect of the sister is concerned, only an omnibus statement is made that 2013 onwards she had also joined along with the in-laws and husband, while demanding the money. But material discloses that

father-in-law had transferred the amount in favour of the husband while purchasing the property. Property was purchased in 2015 and subsequently gift deed was executed in favour of the father-in-law in the year 2019 and when no specific allegations against the sister, except the omnibus statement, there cannot be any criminal prosecution or otherwise it amounts to a miscarriage of justice in respect of the sister is concerned.

9. However, with regard to the contention of the counsel for the petitioner, that mother is also there and there is no any transfer of the amount but accusation is made that demand was made at the time of marriage talk, along with the in-laws and also the husband, when such being the case, it is a matter of trial in respect of the mother-in-law also. Hence, I do not find any force in the contention of the petitioner counsel to quash the proceedings in respect of the petitioner nos.1 and 2. As far as petitioner no.3 is concerned, she has made out a ground, to quash the proceedings against the sister of the

husband, who is accused no.4. In view of the discussions made above, I proceed to pass the following order;

This petition is ***allowed*** in part.

The proceedings against petitioner No.3 i.e. accused no.4, in C.C.No.7326/2020, on the file of II Addl. Civil Judge and JMFC Court, Anekal, Bangalore Rural District is hereby quashed.

The quashing of the proceedings against petitioner No.1 and 2 in-laws is hereby ***rejected***.

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

AKV
List No.: 1 Sl No.: 34