HC-KAR
NC: 2026:KHC:62516
CRL.P No. 3253 of 2021
CNR: KAHC010169052021

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 6TH DAY OF NOVEMBER, 2026

BEFORE

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

CRIMINAL PETITION NO. 3253 OF 2021 (482(Cr.PC) / 528(BNSS))

BETWEEN:

1. KHALID @ MOHAMMED KHALID HUSSAIN
   AGED ABOUT 41 YEARS
   S/O. MOH. AFAR HUSSAIN,
   R/AT NO. 167, 5TH MAIN ROAD,
   RAHMATHNAGAR, R T NAGAR,
   ANGALORE 560 032.

2. MOHAMMED AHMED KHURESHI
   AGED ABOUT 37 YEARS,
   S/O. AHMED ULLA KHURESHI,
   R/AT NO. 416-B, 14TH CROSS,
   FATHIMA LAYOUT, GOVINDAPURA,
   BANGALORE.

...PETITIONERS

(BY SRI. NAVEED AHMED., ADVOCATE)

Digitally signed by DEVIKA M
Location: HIGH COURT OF KARNATAKA

AND:

1. THE STATE BY R T NAGAR
   POLICE STATION
   REP. BY ITS STATE PUBLIC PROSECUTOR,
   HIGH COURT OF KARNATAKA,
   BANGALORE-560 001.

2. SMT. TASMIYA BANO
   W/O ABDUL NADEEM
   NO.24, 4TH CROSS
   EX-SERVICE MENS COLONY
   DINNUX MAIN ROAD, R.T.NAGAR

BANGALORE-560 032.

…RESPONDENTS

(BY SRI. SUHAS GOWDA M., HCGP FOR R-1
R2 IS SERVED)

THIS CRL.P IS FILED U/S.482 CR.P.C PRAYING TO QUASH THE ENTIRE PROCEEDINGS INITIATED BY THE RESPONDENTS IN CR.NO.25/2021 OF R.T.NAGAR POLICE STATION, PENDING ON THE FILE OF XXXII ADDL.C.M.M., BENGALURU IN SO FAR AS THE PETITIONER NO.1 AND 2 ARE CONCERNED FOR THE OFFENCE P/U/S 498A,504,354 R/W 34 OF IPC.

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 petitioner and learned counsel for respondent No.1/State. Though learned counsel for respondent No.2/complainant is served and unrepresented.

2. This petition is filed praying this court to quash the FIR in Crime No.25/2021 registered by RT Nagar police station, on the file of the 32nd Additional Chief Metropolitan Magistrate, Bengaluru, against the petitioners. The petitioner No.1, who is arrayed as an accused no.3 is the brother-in-law of the complainant respondent no.2 and the petitioner No.2 who is accused no. 4 is a stranger. Learned counsel brought to notice

of this court, the averment made in the complaint only an omnibus, particularly no allegations against these two accused persons and only it is stated that requested his brother name Khalid i.e. first petitioner herein not to do injustice to her, but he is telling that in Islam, as per Islam, can marry 4 woman and they can give Talaq as per their wish and also gave life threat to her and her friend and abused her in bad words. When such general omnibus allegation is made there cannot be any criminal prosecution.

3. Learned counsel appearing for the State submits that specific allegations are made against petitioner No.1, that he abused and claimed that a Muslim person can marry 4 wives at a time and also can give Talaq and not taken any action.

4. Having heard learned counsel for petitioner and also the counsel appearing for the State and particularly taking note of the contents of the complaint dated 03.02.2021 specific allegations are made against the husband and only it is stated that when she made the request to the petitioner No.1, i.e. accused no. 3 only he has stated that in Muslim community, a man can marry 4 woman and can give talaq and an omnibus

allegation is made against the petitioner. When such being the case, when the complaint does not disclose any committing of any offence, the court can exercise the power even for quashing of FIR. Having read the contents of the complaint, if the complaint does not disclose the committing of an offence, court can exercise the power under Section 482.

Hence, it is a fit case to exercise the power under Section 482 of Cr.P.C. In view of the discussions made above, I proceed to pass the following order,

This petition is ***allowed*** and the proceedings against the petitioner are hereby quashed.

Sd/-
(H.P.SANDESH)
JUDGE

AKV
List No.: 1 Sl No.: 34