IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE RAJESH RAI K

CRIMINAL PETITION NO. 4617 OF 2024

BETWEEN:

SRI SURESH G.N
S/O NEELAKANTAIAH G.H
AGED ABOUT 45 YEARS,
RESIDING AT NO. T-4
704, RAIN TREBULI VAAD, L & T
APARTMENT, BYATARAYANAPURA
BENGALURU -560 092

...PETITIONER

(BY SRI. K.B.K SWAMY, ADVOCATE)

AND:

1. STATE OF KARNATAKA
BY NORTH EAST WOMEN POLICE STATION,
REPRESENTED BY
STATE PUBLIC PROSECUTOR,
HIGH COURT BUILDING,
BENGALURU -560 001

2. SMT. SHWETHA N K
W/O SRI. SURESH G N
AGED ABOUT 32 YEARS,
RESIDING AT NO. T-4 704, RAIN
TREBULI VAAD, L & T
APARTMENT,
BYATARAYANAPURA
BENGALURU -560 092

...RESPONDENTS

(BY SRI. MAHESHA P, HCGP FOR R1,
SRI. DINESH KUMAR K RAO, ADVOCATE FOR R2)

Digitally signed by PANKAJA S
Location: HIGH COURT OF KARNATAKA

THIS CRL.P IS FILED U/S 482 OF CR.PC PRAYING TO QUASH THE FIR IN CR.NO.8/2024, REGISTERED FOR THE OFFENCE P/U/S 498A, 323, 504 AND 506 OF IPC AND SEC. 3 AND 4 OF D.P. ACT, REGISTERED BY THE NORTH EAST WOMEN POLICE STATION, BENGALURU, NOW PENDING ON THE FILE OF THE 41ST ADDL. CMM AT BENGALURU.

THIS PETITION HAVING BEEN RESERVED FOR ORDERS ON 17.11.2026 COMING ON FOR PRONOUNCEMENT THIS DAY, THE COURT MADE THE FOLLOWING:

CORAM: HON'BLE MR. JUSTICE RAJESH RAI K

CAV ORDER

This petition is filed under Section 482 of Cr.P.C seeking to quash the proceedings against the petitioner/accused in Crime No.8/2024 registered by North East Women Police Station, Bengaluru for the offences punishable under Sections 498A, 323, 504, 506 of IPC and Sections 3 and 4 of Dowry Prohibition Act, 1961, (for short, "the D.P Act") pending on the file of the 41st ACMM, Bengaluru (for short, 'the learned Magistrate').

2. The brief facts of the case are that, respondent No.2 married the accused - petitioner on 12.06.2011 at Lagan Kalyana Mantapa, in accordance with Hindu customs and rituals, in the presence of elders. It is alleged that, at the time of marriage, the accused demanded dowry of Rs.10,00,000/-,

out of which Rs.5,00,000/- was paid at the time of engagement. As the remaining dowry amount was not paid, the accused allegedly subjected respondent No.2 to mental, emotional and physical harassment from the date of marriage. It is further alleged that, despite respondent No.2's parental family purchasing and registering a house, farm land and site in her name, the accused continued to harass her and used to consume alcohol and abuse her in filthy language.

3. It is further alleged that, on 13.04.2024 at about 8:30 a.m., the accused picked up a quarrel with respondent No.2, assaulted her with his hands and kicked her on her stomach. Thereafter, he allegedly demanded that the house, farm land and site standing in her name be transferred to his name and that her gold ornaments, silver articles and pooja vessels be handed over to him. He also demanded payment of balance dowry amount by her parental family and threatened to kill her if the demands were not fulfilled. It is stated that, thereafter, respondent No.2 took treatment at Yelahanka Government Hospital and lodged the complaint against the accused before respondent No.1-Police.

4. On the basis of said complaint, respondent No.1-Police registered FIR in Crime No.8/2024 dated 17.04.2024 against the petitioner for the aforesaid offences. Aggrieved by the registration of the said case, the petitioner has preferred the present petition.

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

6. Apart from urging several other contentions, learned counsel for the petitioner contended that respondent No.2 lodged the complaint against the petitioner as a counterblast to the complaint lodged by the petitioner against respondent No.2 and her paramour, namely, Muniraju @ Raj, on 12.09.2023 at about 9.00 p.m., which was registered in Crime No.250/2023 for the offences punishable under Sections 324 and 504 read with Section 34 of the IPC. According to learned counsel, respondent No.2 was allegedly maintaining an adulterous relationship with the said Muniraju @ Raj and was caught red-handed by the petitioner and his father-in-law i.e. the father of respondent No.2, in the bedroom of Muniraju @

Raj. In the said case, the police have filed charge-sheet against respondent No.2 and Muniraju @ Raj.

7. Learned counsel further contended that, respondent No.2 lodged a complaint against the petitioner initially before Kodigehalli Police Station against the petitioner on the same day, i.e., on 12.09.2023 at about 8.45 p.m., which was registered in Crime No.249/2023 for the offence punishable under Section 498A read with Section 34 of the IPC. In the said case, the police have filed a 'B' Report. Thereafter, respondent No.2 again lodged a complaint against the petitioner on 14.04.2024 before Kodigehalli Police, alleging dowry demand and assault. On receipt of the said complaint, the police registered NCR No.113/2024 and, during the course of enquiry, recorded the statements of the petitioner and the maid servant of the petitioner and respondent No.2. The maid servant stated that no such incident had occurred on 13.04.2024 between 8.30 p.m. and 9.30 p.m. Accordingly, the police issued an endorsement closing the said complaint.

8. It is further contended that, despite the aforesaid circumstances, respondent No.2 once again lodged a complaint on 17.04.2024 before respondent No.1-Police, which came to

be registered in Crime No.8/2024 and is the subject matter of the present petition. Thus, learned counsel contended that respondent No.2 has made repeated attempts to initiate criminal proceedings against the petitioner by misusing the machinery of the State for her ulterior motive and to harass the petitioner.

9. Learned counsel further contended that, even on a plain reading of the allegations made in the complaint, the essential ingredients of the offence punishable under Section 498A of the IPC are not made out against the petitioner. According to him, mere 'cruelty', simpliciter, would not constitute an offence under Section 498A of the IPC, unless such cruelty is of the nature contemplated under the said provision, either with an intention to cause grave injury or to drive the woman to commit suicide, or with a view to coercing her or her relatives to meet any unlawful demand. In the present case, no such specific allegation or overt act is forthcoming against the petitioner in the complaint or FIR. Hence, he contended that continuation of the proceedings against the petitioner would amount to an abuse of the process of law. Accordingly, he sought to allow the petition.

10. Learned counsel to buttress his argument relied on the following judgments:

i. Navendu Sudhir Gupta vs. Honey Navendu Gupta and another - 2024 SCC OnLine Bom 2078.

ii. P.V Krishna Bhat and Another vs. The State of Karnataka - 2025 LiveLaw (SC) 149.

iii. Geddam Jhansi and another vs. State of Telangana - 2025 SCC OnLine SC 263.

iv. Digambar and another vs. State of Maharashtra and another - 2024 SCC OnLine SC 3836.

v. Prateek Bansal vs. State of Rajasthan - 2024 SCC OnLine 564.

11. *Per contra,* learned counsel for respondent No.2 contended that, a plain reading of the allegations made in the complaint clearly discloses the ingredients of the offences punishable under Sections 498A, 323, 504, 506 of the IPC and Sections 3 and 4 of the D.P Act. It is specifically alleged in the complaint that, at the time of marriage, the parents of respondent No.2 paid dowry to the petitioner and, thereafter,

the petitioner demanded additional dowry and subjected respondent No.2 to physical and mental harassment, particularly under the influence of alcohol. It is further alleged that, due to the assault, respondent No.2 sustained injuries and took treatment at the Government Hospital, Yelahanka.

12. Learned counsel further contended that the mere fact that respondent No.2 had earlier lodged a complaint before Kodigehalli Police Station would not, by itself, constitute a ground for quashing the present FIR. He submitted that the endorsement dated 26.04.2024 issued by the police clearly indicates that, subsequent to the registration of the present FIR in Crime No.8/2024, the earlier complaint came to be closed by the Kodigehalli Police. Hence, he sought dismissal of the petition.

13. Learned High Court Government Pleader appearing for respondent No.1-State opposed the prayer in the petition contending that the investigation is still at a nascent stage and respondent No.1-Police is yet to collect the relevant materials, including the statements of the witnesses and the wound certificate. Hence, at this stage, the FIR cannot be quashed

against the petitioner. Accordingly, he prays to dismiss the petition.

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

15. As could be gathered from records, the relationship between the petitioner and respondent No.2 is not in dispute. They got married about 12 to 13 years prior to the date of the alleged incident and have a male child, who is presently aged about 13 years. It is further evident that, after a few years of their marriage, their marital relationship got strained.

16. In the instant case, on a careful perusal of the averments made in the complaint, it is specifically alleged that, at the time of marriage, the petitioner demanded dowry of Rs.10,00,000/- from the parents of respondent No.2, out of which Rs.5,00,000/- was paid by them during the engagement. Thereafter, the petitioner allegedly demanded the balance dowry amount and additional dowry from respondent No.2. It is further alleged that the petitioner, under the influence of alcohol, used to assault respondent No.2 and that, on

13.04.2024, he assaulted her, consequent to which she took treatment at the Government Hospital, Yelahanka.

17. No doubt, respondent No.2 had lodged a complaint before Kodigehalli Police Station in respect of the alleged incident, pursuant to which the said police initially registered NCR No.113/2024 dated 14.04.2024. Subsequently, an endorsement came to be issued closing the said complaint in view of the registration of Crime No.8/2024. It is also not in dispute that the said police recorded the statements of the petitioner and one Ramanamma, the maid servant. However, the said maid servant has not specifically stated about any assault allegedly committed by the petitioner on respondent No.2.

18. Nevertheless, in the instant case, except for registration of the FIR on the basis of the complaint lodged by respondent No.2, no investigation has yet been conducted. A *prima facie* reading of the averments made in the complaint discloses the commission of offences punishable under Section 498A, 323, 504, 506 of the IPC, as well as Sections 3 and 4 of the D.P Act. The said allegations require investigation by

respondent No.1-Police to ascertain the truth or otherwise of the allegations.

19. Learned counsel for the petitioner has strenuously relied upon the statements of the father and aunt of respondent No.2 recorded in Crime No.250/2023 registered against respondent No.2 and one Muniraju @ Raj for the offences punishable under Sections 324 and 504 read with Section 34 of the IPC. However, even on perusal of the said statements, no specific allegation is forthcoming against respondent No.2, except the assertion that she was found in the bedroom of the said Muniraju @ Raj. Admittedly, respondent No.2 had also lodged a complaint against the petitioner on the very same day, which came to be registered in Crime No.249/2023, wherein an allegation of stalking and harassment was made against the petitioner. In such circumstances, at this stage, much credence cannot be attached to the statements relied upon by learned counsel for the petitioner.

20. Nevertheless, the matter is at nascent stage, and the investigation has not progressed beyond the preliminary steps taken immediately after registration of the case. The relevant evidence is yet to be collected upon a thorough

investigation to place before the Court. At this stage, this Court cannot anticipate the outcome of the investigation or record a finding on the allegation of false implication or malafide, merely on the basis of the defence raised by the petitioner. Therefore, the complaint cannot be thrown out at the threshold on the basis of an unsubstantiated defence. In the case on hand, the complaint and the material collected thus *prima facie* disclose the commission of cognizable offence against the petitioner. Accordingly, the judgments placed by the learned counsel for the petitioner are distinguishable. Hence, at this stage, the FIR does not warrant interference by this Court.

21. Accordingly, the petition lacks merits and same is ***dismissed***.

SD/-
(RAJESH RAI K)
JUDGE

PKS/K