HC-KAR
NC: 2026:KHC:63136
CRL.P No. 6842 of 2021
CNR: KAHC010322722021

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 16TH DAY OF NOVEMBER, 2026

BEFORE

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

CRIMINAL PETITION NO.6842 OF 2021

BETWEEN:

1. ASHOK RAJAN
S/O NATARAJAN
AGED ABOUT 35 YEARS
PERMANENT ADDRESS AT
NO.18/8, THIRUPPATANSTREET
CHIDAMBARAM, CUDDALUR
TAMIL NADU-608001.

...PETITIONER

(BY SRI. KIRAN B.Y., ADVOCATE FOR
SRI. ARUN G., ADVOCATE)

AND:

Digitally signed by DEVIKA M
Location: HIGH COURT OF KARNATAKA

1. STATE BY PARAPPANA AGRAHARA PS
BANGALORE-560 100
(REPRESENTED BY STATE PUBLIC PROSECUTOR
HIGH COURT COMPLEX)

2. JAYARAMAN S S/O P. SUBBARYAN
AGED ABOUT 54 YEARS
NO.10, MAHAMAYA
KRISHNA GARDEN
GATTIGENAHALLI
BANGALORE-560 064.

...RESPONDENTS

(BY SRI. SUHAS GOWDA M., HCGP FOR R1;
SRI. N.B.NIJALINGAPPA, ADVOCATE FOR R2)

CNR: KAHC010322722021

THIS CRIMINAL PETITION IS FILED UNDER SECTION 482 OF CR.P.C PRAYING TO QUASH THE CHARGE SHEET IN C.C.NO.14949/2020 (ARISING OUT OF CR.NO.55/2020) AGAINST PETITIONER/ACCUSED, PENDING ON THE FILE OF THE HONBLE IX A.C.M.M, AT BENGALURU BY THE RESPONDENT NO.1/PARAPPANA AGRAHARA P.S., FOR THE ALLEGED OFFENCE P/U/S 498(A) OF IPC AND SECTIONS 3 AND 4 OF D.P ACT BY ALLOWING THE ABOVE MEMORANDUM OF CRL.P FILED U/S 482 CR.PC.

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

CORAM: HON'BLE MR. JUSTICE H.P.SANDESH

ORAL ORDER

This matter is listed for admission and petition is filed in the year 2021. Learned counsel appearing for the petitioner earlier on several occasions appeared through V.C. and did not assist the Court. Hence, this Court passed an order, if counsel fails to assist the Court, petition will be dismissed. Even on 12.06.2026 also, sought time on the ground of ill-health undertaking to inform learned counsel for the respondents. On the next date on 19.06.2026, learned counsel for the petitioner appeared through video conferencing and the matter was adjourned twice due to paucity of time. Thereafter, on request, once again, the matter was adjourned and again on

14.08.2026, the counsel appeared through video conferencing and learned counsel for respondent No.2 was absent on 08.09.2026 and on 24.09.2026, learned counsel for the petitioner and learned High Court Government Pleader was present and learned counsel for respondent No.2 was absent.. On 07.10.2026, learned counsel for the petitioner was absent and this Court made it clear that, if the counsel fails to appear on the next date of hearing, the petition will be dismissed. Again on 03.11.2026, the counsel appeared through video conferencing and requested the Court to list the matter next day and accordingly, matter was ordered to be listed next day.

2. Having perused the order sheet, the counsel is not pursuing the matter diligently. However, this petition is filed by the accused, who is the husband and based on the complaint given by C.W.1, the police investigated the matter and filed the charge sheet, wherein specific accusation is made against the petitioner that his marriage was held with deceased Sukanya on 20.01.2026 at Chennai and thereafter, the accused had left the job on 04.04.2016 and he used to snatch the ATM card of the deceased and used to withdraw the money. On 15.11.2016,

she gave birth to a girl baby and he continued the harassment demanding additional dowry and gold ornaments. Hence, she has given the complaint on 01.12.2017 to the Chennai Police and he was called to the police station and he was advised. Again, he continued both physical and mental harassment and once again, she gave a complaint on 02.11.2018 at Tamil Nadu and then, the police advised her to initiate proceedings in the Family Court and she also filed a petition before the Family Court and subsequently, when she was unable to tolerate the torture, she got transfer to the Bangalore and again, he came to Bangalore and both of them started living together in Bangalore and he continued the harassment and once again, she lodged the complaint on 04.03.2019 at Parappana Agrahara Police Station and then, both of them started living separately and ultimately, she passed away on 08.11.2019. During the course of investigation, it was found that she wrote number of complaints, but she has not lodged any complaint against him. It was also noticed that she had wrote a death note and the same was seized and sent to FSL and FSL report is also received and ultimately, though the case is registered

against accused Nos.1 to 4, police filed the charge sheet against this petitioner invoking Section 498(A) of IPC and Sections 3 and 4 of DP Act.

3. Learned counsel appearing for the petitioner in the petition has contended that the allegations made in the charge sheet is baseless and at no point of time, the petitioner subjected her for both physical and mental harassment and she passed away on account of anemia and UDR No.103/2019 was registered and both of them were living separately from past 10 months i.e., prior to 08.09.2019 and she was having ailment and though, such complaints are filed, not pursued the same and not disputed the fact that petitions are filed before the Family Court and mutual divorce petition would clearly show that there was marital discard between the petitioner and deceased and both being educated person have decided to end the marriage on mutual consent and it was an unfortunate death. The alleged death note which came to the possession of respondent No.1 on 06.01.2020 was in the knowledge of the respondent No.1 and police would have registered a suo-motu complaint, but not registered the case and only after receiving

the complaint which was filed belatedly after 1½ month, the case was registered. Hence, it requires interference of this Court.

4. Though, the respondent No.2-complainant is represented through counsel, learned counsel for respondent No.2 is absent and not pursuing the matter with diligence.

5. However, the learned High Court Government Pleader appearing for the respondent No.1-State would submit that there is a death note, wherein specific allegations are made against the husband and repeated complaints are filed against him and when the torture was continued, she had filed the complaints before the police at Chennai on several occasions and also before the Bangalore police and Chennai police also advised her to take divorce and petition was filed before the Family Court. The counsel also submits that death note was also sent to FSL and C.W.17 is the expert, who examined the death note and the same belongs to victim. Hence, it requires trial.

6. Having considered the factual aspects of the case, specific accusation is made in the complaint and also the witnesses speak about the same and particularly, in the death note, specific accusation is made against the husband that she is going to end her life, since her husband will not change his attitude and the fact that complaints which she has written on several occasions about mental and physical torture for want of more jewelry and property were also found and the same are in her handwriting and having collected all these materials, it is a matter of trial when specific accusation is made against the petitioner. Hence, it is not a fit case to exercise the power under Section 482 of Cr.P.C.

7. Accordingly, the criminal petition is ***dismissed***. The Trial Court is directed to dispose of the matter expeditiously.

Sd/-
(H.P.SANDESH)
JUDGE

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List No.: 1 Sl No.: 28