HC-KAR
NC: 2026:KHC:59577
CRL.P No. 9198 of 2024
CNR: KAHC010413332024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE RAJESH RAI K

CRIMINAL PETITION NO. 9198 OF 2024

BETWEEN:

1. SMT. ARPITHA C.J.
   W/O HONNEGOWDA
   AGED ABOUT 33 YEARS
   R/A MARULUHOLA
   CHENNAPATNA TOWN,
   RAMANAGAR DISTRICT 562 160.

2. SRI. AREKESH C.J.
   S/O LATE JAYARAMU
   AGED ABOUT 36 YEARS
   R/A MARULUHOLA
   CHENNAPATNA TOWN,
   RAMANAGAR DISTRICT 562 160.

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Location: HIGH COURT OF KARNATAKA

3. GEETHA @ GEETHA H.S.
   W/O LATE JAYARAMU
   AGED ABOUT 52 YEARS
   R/A MARULUHOLA
   CHENNAPATNA TOWN,
   RAMANAGAR DISTRICT 562 160.

...PETITIONERS

(BY SRI. RAJA K.P., ADVOCATE)

AND:

1. STATE OF KARNATAKA
   BY CHENNAPATNA TOWN P.S.
   REPRESENTED BY HCGP/SPP
   BANGALORE 560 001.

2. SMT. LAKSHMIDEVI T.M.
   W/O VIJAY KUMAR S
   AGED ABOUT 35 YEARS
   R/O 1ST CROSS, ARKESHWARANAGAR
   GUTTALU, MANDYA TOWN
   MANDYA 571 403.

…RESPONDENTS

(BY SRI.MAHESHA P., HCGP FOR R-1;
SRI.H. PAVANA CHANDRA SHETTY, ADVOCATE FOR R-2)

THIS CRL.P IS FILED U/S 482 OF CR.PC (FILED U/S 528 BNSS) PRAYING TO QUASH THE CHARGE SHEET IN C.C.NO.5011/2023 ARISING OUT OF CRIME NO.109/2023 OF CHENNAPATNA TOWN POLICE STATION, FOR OFFENCES P/U/S 323, 324, 504, 506 R/W SECTION 34 OF IPC, PENDING ON THE FILE OF LEARNED 1ST ADDL. CIVIL JUDGE AND JMFC COURT, CHENNAPTANA, RAMANAGARA DISTRICT, AGAINST THESE PETITIONERS IN THE ABOVE CASE.

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

CNR: KAHC010413332024

CORAM: HON'BLE MR. JUSTICE RAJESH RAI K

ORAL ORDER

This petition is filed under Section 482 of Cr.P.C. to quash the proceedings in C.C.No.5011/2023, arising out of Crime No.109/2023 dated 14.09.2023, filed by the Channapatna Town Police Station, against the petitioners for the offences punishable under Sections 323, 324, 504, 506 r/w 34 of IPC pending on the file of Addl. Civil Judge and JMFC, Channapatna.

2. The brief facts of the case are that respondent No.2 lodged a complaint against the petitioners on 14.09.2023, alleging that she is the sister-in-law of petitioner No.1 i.e, wife of brother of respondent No.2. - Dr. T.M. Honne Gowda. Initially, the marital relationship between petitioner No.1 and the brother of respondent No.2 was cordial for a few months. However, subsequently, matrimonial disputes arose between them. It is further alleged that, on 13.09.2023, during the evening hours, the petitioners, under the guise of arriving at a compromise, called respondent No.2 to the house of petitioner No.1, where they picked up a quarrel with her and assaulted

and abused respondent No.2 and her family members. Based on the said complaint, FIR came to be registered in Crime No.109/2023 dated 14.09.2023. Subsequently, respondent No.1-Police conducted an investigation and filed the charge sheet against the petitioners for the aforementioned offences. The learned Magistrate thereafter took cognizance of the alleged offences. Aggrieved by the same, the petitioners have approached this Court.

3. Heard the learned counsel for the petitioners, learned counsel for respondent No.2 so also the learned HCGP.

4. The primary contention of learned counsel for the petitioners is that petitioner No.1, being the wife of Dr. T.M.Honne Gowda, has not committed any of the alleged offences at any point of time. On the contrary, respondent No.2 and her family members visited the house of petitioner No.1 under the pretext of arriving at a compromise and assaulted and manhandled petitioner No.1 and her family members. In this regard, petitioner No.1 also lodged a complaint, which came to be registered in Crime No.108/2023. Learned counsel further contends that the present complaint was subsequently

lodged as a counterblast to the said complaint. He further submits that, except for bald and omnibus allegations in the complaint and charge sheet, no specific overt acts are attributed to these petitioners. He also points out that petitioner No.1 and her husband are presently residing together. In such circumstances, he contends that the complaint has been lodged by respondent No.2 out of vengeance and as a counterblast to the earlier complaint. Hence, he prays to allow the petition.

5. *Per contra*, this prayer is opposed by learned counsel for respondent No.2 on the ground that the charge sheet has already been filed and the statements of the material witnesses recorded during the course of investigation disclose the involvement of the petitioners in the alleged offences.

6. Learned HCGP also opposed the prayer on similar grounds and prays to dismiss the petition.

7. I have given my anxious consideration both on the submission and perused the charge sheet materials.

8. As could be gathered from the records, the relationship between the petitioners and respondent No.2 is not in dispute. Respondent No.2 is the sister-in-law of petitioner No.1. Admittedly, there is a matrimonial dispute between petitioner No.1 and her husband, Dr. T.M.Honne Gowda. It is alleged that, subsequently, petitioner No.1 started residing at her parental house and that respondent No.2 and her family members visited the house of petitioner No.1 under the pretext of arriving at a compromise, during which the alleged incident took place. Admittedly, on similar allegations, a case came to be registered against respondent No.2 and her family members in Crime No.108/2023 for similar offences. Further, petitioner No.1 and her husband are presently residing together cordially. In such circumstances, having regard to the counter-allegations made by both parties in respect of the incident dated 13.09.2023, it appears that the complaints were lodged against each other out of vengeance, arising from the matrimonial dispute between the parties. Now that petitioner No.1 and her husband are residing together cordially, no useful purpose would be served if proceedings are continued against the

petitioners. In the facts and circumstances of the case, continuation of the proceedings would amount to an abuse of the process of the Court. Accordingly, I proceed to pass the following:

ORDER

i. The criminal petition is ***allowed***.

ii. The proceedings against the petitioners/accused Nos. 1 to 3 in C.C.No.5011/2023, arising out of Crime No.109/2023 dated 14.09.2023, filed by the Channapatna Town Police Station, for the offences punishable under Sections 323, 324, 504, 506 r/w 34 of IPC pending on the file of Addl. Civil Judge and JMFC, Channapatna, are hereby quashed.

SD/-
(RAJESH RAI K)
JUDGE

GPG
List No.: 1 Sl No.: 2.1