HC-KAR

NC: 2026:KHC:63421
WP No. 18882 of 2022
C/W WP No. 18897 of 2022

CNR: KAHC010432142022

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 13TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE V SRISHANANDA

WRIT PETITION NO. 18882 OF 2022 (GM-RES)

C/W

WRIT PETITION NO. 18897 OF 2022 (GM-RES)

IN WP No. 18882/2022

BETWEEN:

JAYANTH. S.
S/O P.G. SRINIVASAN,
AGED ABOUT 45 YEARS,
R/AT NO.187, 3RD MAIN,
AGS LAYOUT, AREHALLI,
SUBRAMANYAPURA POST,
BENGALURU - 560 061.

...PETITIONER

(BY SRI. GIRISH PATEL N, ADVOCATE FOR
SRI. TRIVIKRAM S, ADVOCATE)

Digitally signed by ASHWINI MAYAPPA MAVARAKAR
Location: High Court of Karnataka

AND:

1. STATE OF KARNATAKA
BY SUBRAMANYAPURA POLICE,
REP. BY STATE PUBLIC PROSECUTOR,
HIGH COURT BUILDING,
BENGALURU - 560 001.

2. SMT. G.R. PUSHPALATHA
W/O S. JAYANTH,
AGED ABOUT 45 YEARS,

R/O SHIVAHALLI VILLAGE,
GOVERNMENT HIGHER PRIMARY SCHOOL,
MANDYA TALUK,
NEXT TO SHIVAHALLI
POLICE STATION,
MANDYA - 570 405,
MOBILE NO.9686591410.

…RESPONDENTS

(BY SMT. K.P. YASHODHA, AGA FOR R1;
SRI. KUMARA K.G, ADVOCATE FOR R2)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA R/W SEC. 482 OF THE CR.PC PRAYING TO QUASH THE ENTIRE PROCEEDINGS IN CC NO.593/2020 ARISING OUT OF CRIME NO.119/2019 AND FIR REGISTERED BY THE R1 POLICE, PENDING ON THE FILE OF THE LEARNED II ACMM, AT BENGALURU FOR THE OFFENCES PUNISHABLE U/S 498(A) OF IPC AND SECTION 3 AND 4 OF DOWRY PROHIBITION ACT IN SO FAR AS THE PETITIONER IS CONCERNED AT ANNEXURE-D AND A AND ETC.,

IN WP NO. 18897/2022

BETWEEN:

1. RUKMINI
W/O P.G. SRINIVAS,
AGED ABOUT 70 YEARS,
R/O NO.187, 3RD MAIN,
AGS LAYOUT, AREHALLI,
SUBRAMANYAPURA POST,
BENGALURU - 560 061.

2. PRASANNA S
S/O P.G. SRINIVAS,
AGED ABOUT 43 YEARS,
R/O NO.187, 3RD MAIN,
AGS LAYOUT, AREHALLI,

SUBRAMANYAPURA POST,
BENGALURU - 560 061.

...PETITIONERS

(BY SRI. GIRISH PATEL N, ADVOCATE FOR
SRI. TRIVIKRAM S, ADVOCATE)

AND:

1. STATE OF KARNATAKA
BY SUBRAMANYAPURA POLICE
REP. BY STATE PUBLIC PROSECUTOR,
HIGH COURT BUILDING,
BENGALURU - 560 001.

2. SMT. G.R. PUSHPALATHA
W/O S. JAYANTH,
AGED ABOUT 45 YEARS,
R/O SHIVAHALLI VILLAGE,
GOVERNMENT HIGHER PRIMARY SCHOOL,
MANDYA TALUK,
NEXT TO SHIVAHALLI POLICE STATION,
MANDYA - 570 405,
MOBILE NO. 9686591410.

...RESPONDENTS

(BY SMT. K.P. YASHODHA, AGA FOR R1;
SRI. KUMARA K.G, ADVOCATE FOR R2)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA R/W SEC. 482 OF THE CR.PC UNDER PRAYING TO QUASH THE ENTIRE PROCEEDINGS IN C.C.NO.5093/2020 ARISING OUT OF CRIME NO.119/2019 AND FIR REGISTERED BY TH ER-1 POLICE PENDING ON THE FILE OF THE LEARNED II ACMM AT BENGALURU FOR THE OFFENCES PUNISHABLE UNDER SECTION 498(A) OF IPC AND SECTION 3 AND 4 OF DOWRY

PROHIBITION ACT IN SO FAR AS THE PETITIONERS ARE CONCERNED AT ANNEXURE-D AND A AND ETC.,

THESE PETITIONS, COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE V SRISHANANDA

ORAL ORDER

1. Heard Sri.Girish Patel N., learned counsel appearing for Sri.Trivikram S., learned counsel for the petitioners, Smt.K.P.Yashodha, learned Additional Government Advocate for respondent No.1 and Sri.Kumara K. G., learned counsel for respondent No.2.

2. Petitions are filed under Articles 226 and 227 of the Constitution of India read with Section 482 of Criminal Procedure Code with the following prayers:

PRAYER IN WP No.18882/2022

WHEREFORE, the Petitioner most humbly pray that this Hon'ble Court may be pleased to:

a) Issue a writ in the nature of certiorari or any other appropriate writ and quash the entire proceedings in CC No. 5093/2020 arising out of Crime No. 119/2019 & FIR registered by the Respondent No. 1 police, pending on

the file of the Learned II ACMM, at Bengaluru for the offences punishable under section 498(A) of IPC and Section 3 & 4 of Dowry Prohibition Act in so far as the Petitioner is concerned at Annexure-D and A.

b) Or To grant any such other relief/s or order or direction as this Hon'ble Court deems fit under the facts and circumstances of the case to meet the ends of Justice.

PRAYER IN WP No.18897/2022

WHEREFORE, the Petitioners most humbly pray that this Hon'ble Court may be pleased to:

a) Issue a writ in the nature of certiorari or any other appropriate writ and quash the entire proceedings in CC No. 5093/2020 arising out of Crime No. 119/2019 & FIR registered by the Respondent No. 1 police, pending on the file of the Learned II ACMM, at Bengaluru for the offences punishable under section 498(A) of IPC and Section 3 & 4 of Dowry Prohibition Act in so far as the Petitioners are concerned at Annexure-*D and A.*

b) Or To grant any such other relief/s or order or direction as this Hon'ble Court deems fit under the facts and circumstances of the case to meet the ends of Justice.

3. Petitioner in WP No.18882/2022 is the husband of respondent No.2 and petitioners in WP No.18897/2022 are the parents-in-law of respondent No.2.

4. Facts of the case are as under:

Marriage of the petitioner – Jayantha S., with respondent No.2 is not in dispute. However, their marital life was not happy and after a brief period of time, there was harassment to respondent No.2 which resulted in filing of criminal complaint under Section 498A of Indian Penal Code and Sections 3 and 4 of Dowry Prohibition Act.

5. Learned Trial Magistrate has taken cognizance of the offences alleged against the petitioners in the charge sheet and trial is now under progress.

6. Petitioners have now approached this Court with the aforesaid prayers to quash the pending criminal case by contending that allegations in the complaint are omnibus in nature. Therefore, no useful purpose would be served by continuing the criminal case besides continuation of the criminal case would result in abuse of process of law.

7. Per contra, learned counsel for respondent No.2 and learned Additional Government Advocate for respondent No.1 would support the continuation of the criminal case against the

petitioners by contending that investigation agency has collected specific materials which would *prima facie* establish that the petitioners are required to stand for the trial and face the full-fledged trial.

8. Having heard the arguments of both the parties, this Court noted that petitioners in both the petitions along with respondent No.2 lived under the same roof.

9. Serious allegations are made in the complaint which was investigated by the investigation agency and after collecting necessary material evidence both oral and documentary; charge sheet came to be filed for the offence punishable under Section 498A of Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act.

10. Contentions of the petitioners that some of the articles which were given at the time of marriage are customary in nature, is a matter that needs to be established during the trial by placing necessary evidence on record.

11. Therefore, this Court, at this stage, by exercising the limited powers under the writ jurisdiction, a charge sheet cannot be quashed.

12. At this juncture, learned counsel for the petitioners would contend that petitioners in WP No.18897/2022 being the senior citizens, a direction be issued for the learned Trial Magistrate to allow permanent exemption and conclude the trial in a time bound manner.

13. This Court finds sufficient force in the said submission made by learned counsel for the petitioners that if the petitioners in WP No.18897/2022 files an application seeking permanent exemption without disputing their identity, learned Trial Magistrate may consider the same and pass appropriate orders in accordance with law.

14. Hence, the following:

ORDER

i. Petitions are ***dismissed***.

ii. Learned Trial Magistrate is directed to expedite the trial and conclude the same in a time bound manner but not later than ***31.12.2027.***

iii. Needless to emphasize that parties shall cooperate for the early disposal of the case.

Sd/-
(V SRISHANANDA)
JUDGE

KAV
List No.: 1 Sl No.: 33
CT: BHK