HC-KAR

NC: 2026:KHC:58551
CRL.P No. 4384 of 2026

CNR: KAHC010202232026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 15TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

CRIMINAL PETITION NO. 4384 OF 2026

BETWEEN:

1.

2.

3.

...PETITIONERS

(BY SRI SUYOG HERELE E,ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
   THROUGH DK WOMEN P S,
   REPRESENTED BY SPP,
   HIGH COURT OF KARNATAKA BUILDING
   BENGALURU- 560001.

Digitally Signed by ANANT RAMNATH HEGDE

2.

…RESPONDENTS

(BY SRI NAGHARISH G S,HCGP FOR R1,
SRI SANDEEP C T, ADVOCATE FOR R2)

THIS CRL.P IS FILED U/S 482 CR.PC (FILED U/S 528 BNNS) BY THE ADVOCATE FOR THE PETITIONER PRAYING THAT THIS HONOURABLE COURT MAY BE PLEASED TO QUASH THE FIR AND COMPLAINT IN CR.NO.11/2026 PENDING ON THE FILE OF THE LEARNED PRL.CIVIL JUDGE (JR.DN) AND J.M.F.C COURT PUTTUR FOR THE ALLEGED OFFENCE P/U/S 498A,354,504,506,34 OF IPC AND SEC.3,4 OF D.P ACT REGISTERED BY D.K WOMEN P.S PRODUCED AS DOCUMENT NO.1 AND 2.

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

CORAM: HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

ORAL ORDER

Heard the learned counsel appearing for the petitioners, the learned HCGP for respondent No.1. and learned counsel for respondent No.2.

2. This petition is filed to quash the FIR and complaint in Crime No.11/2026 pending on the file of JMFC, Puttur for the offences punishable under Sections

Digitally Signed by ANANT
RAMNATH HEGDE

498A, 354, 504, 506, 34 of Indian Penal Code, 1860 read with Sections 3 and 4 of Dowry Prohibition Act, 1961.

3. The learned counsel for the petitioners would submit that, petitioner No.1 is the husband, petitioners No.2 and 3 are the in-laws of the second respondent No.2/complainant and parents of petitioner No.1.

4. It is the submission that marriage took place on 24.04.2016. The respondent No.2 left the company of the husband/petitioner No.1 in December, 2016 and the petitioner No.1 filed a petition seeking dissolution of marriage and same is still pending consideration.

5. The complaint is filed in the year 2026, i.e. 9 years after wife left the company.

6. It is further urged that, there is no proper explanation for the delay of 9 years in lodging the complaint and allegations against the parents are also vague, as such, the learned counsel would submit that the petition be allowed and the proceedings be quashed.

Digitally Signed by ANANT
RAMNATH HEGDE

7. To substantiate his contention, learned counsel would place reliance on the judgment of the Apex Court in ***Charul Shukla vs State of UP and others***[1]***.***

8. Learned counsel for the respondent submit that the contents of the complaint disclose cognizable offence and in the complaint, it is stated that there was a demand for dowry, and the demand was met. However, still petitioner No.1 and his parents insisted for dowry and they have harassed the complainant.

9. It is also alleged in the complaint that there is life threat. It is also alleged that despite the complainant's parents came and requested the petitioners not to oust the complainant from the house, the petitioners have ousted the complainant from their house, as such, complainant had no other option but to leave in the house of the parents.

10. It is also stated that the complainant was threatened not to file any police complaint and there was a

[1] (2026) SCC Online SC 476

Digitally Signed by ANANT
RAMNATH HEGDE

life threat in case the police complaint was lodged. And said threat is sought to be the reason for the delay.

11. The Court has considered the contentions raised at the Bar and perused the records.

12. It is noticed that the divorce petition is filed in the year 2016. The respondent No.2 has filed objection to the said petition. In the statement of objection filed by the respondent No.2, the respondent - wife has made allegations relating to the dowry harassment by the petitioners.

13. Reference is also made to the alleged verbal abuse and assault on the complainant in the statement of objection.

14. The Court has also considered the judgment cited by the learned counsel for the petitioners where it is held that frivolous complaint against the husband and the members of the family of the husband cannot be registered, cannot be investigated in case of matrimonial dispute sought to be given a colour of a criminal case.

Digitally Signed by ANANT
RAMNATH HEGDE

15. The Court has noticed the factual background in the aforementioned case.

16. It is indeed true that the cases against the family members of the husband are on the rise where the dispute between the husband and wife is given a colour of a criminal case. However, there cannot be the straight jacket formula to quash the complaint filed by the wife against the family members in case of dispute between husband and wife. Each case has to be considered and evaluated based on the contents of the complaint.

17. After going through the contents of the complaint, the Court has noticed there are serious allegations against petitioner No.1 as well as petitioners No.2 and 3. Though there is delay of 9 years in lodging the complaint, what is required to be noticed is in the year 2016 the husband has filed a petition seeking dissolution of marriage and in the year 2020, the wife has filed statement of objection and in the statement of objection there are allegations relating to demand of dowry and

Digitally Signed by ANANT
RAMNATH HEGDE

physical and mental harassment to the complainant/second respondent by all the family members.

18. As held by the Apex Court in ***Neeharika Infrastructure Pvt. Ltd., Vs. State of Maharashtra***, at this stage the Court is not on the merits of the allegation. The Court is only required to consider whether the allegations, if true, constitute the offence and the matter requires investigation to find out whether the allegations are true or not. Hence, the Court is of the view that the matter requires investigation.

19. However, while investigating the matter, the police shall also take into consideration as to whether there is justification in making allegations against the parents of accused No.1 more so in a situation where there is delay of 9 years in lodging the complaint.

Digitally Signed by ANANT
RAMNATH HEGDE

20. Accordingly, petition is ***dismissed.***

Digitally Signed by ANANT RAMNATH HEGDE

(ANANT RAMANATH HEGDE)
JUDGE

brn
List No.: 2 Sl No.: 4