

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**MONDAY, THE TWENTIETH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SRI JUSTICE N.TUKARAMJI

CRIMINAL PETITION NO: 14445 OF 2024

Between:

1. K. Vijaya Sarvani, W/o K.V.S Ravi Kumar, Aged 47 years, Occ. Business, R/o H.No. 144/A, Villa No. C3, Serene Enclave, Moinabad, Ranga Reddy District.
2. K.V.S. Ravi Kumar, S/o K.Kesav Rao, Aged 53 years, Occ. Business, R/o H.No. 144/A, Villa No. C3, Serene Enclave, Moinabad, Ranga Reddy District.

...PETITIONERS/ACCUSED No. 2 & 3

AND

1. The State of Telangana, Rep., by its Public Prosecutor, High Court for the State of Telangana
2. Naga Anjani Vaishnavi, W/o K.S.K Prakeerthi Babu, Aged 27 years, Occ. Housewife, R/o. H. No. 1-4/2, Sri Raghavendra nagar Colony, Laxman Rao Marg, Karmanghat, Ranga Reddy District.

...RESPONDENT/DEFACTO COMPLAINANT

Petition under Section 528 of BNSS praying that in the circumstances stated in the Affidavit along with Petition, the High Court may be pleased to quash the proceedings against Petitioner/Accused No. 2 and 3 in C.C No. 1255 of 2024 on the file of the Learned III Additional Metropolitan Magistrate, Cyberabad, L.B Nagar.

I.A. NO: 2 OF 2024

Petition under Section 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to stay all further proceedings including appearance of the Petitioner/accused No. 2 and 3 in C.C.No. 1255 of 2024 on the file of the Learned III Additional Metropolitan Magistrate, Cyberabad, L.B Nagar

I.A. NO: 3 OF 2025

Between:

Naga Anjani Vaishnavi @ Ogirala Vaishnavi, W/o K.S.K Prabuti Babu, Aged 27 years, Occ. Housewife, R/o. H. No. 1-4/2, Sri Raghavendra Nagar Colony, Laxman Rao Marg, Karmanghat, Ranga Reddy District.

AND

...PETITIONER/RESPONDENT No. 2

1. K. Vijaya Sarvani, W/o K.V.S Ravi Kumar, Aged 47 years, Occ. Business, R/o H.No. 144/A, Villa No. C3, Serene Enclave, Moinabad, Ranga Reddy District.
2. K.V.S. Ravi Kumar, S/o K.Kesav Rao, Aged 53 years, Occ. Business, R/o H.No. 144/A, Villa No. C3, Serene Enclave, Moinabad, Ranga Reddy District.

...PETITIONERS/ACCUSED No. 2 & 3

3. The State of Telangana, Rep., by its Public Prosecutor, High Court for the State of Telangana

...RESPONDENTS/RESPONDENT No. 1

Petition under Section 528 of BNSS praying that in the circumstances stated in the Affidavit along with Petition, the High Court may be pleased to vacate the stay orders dt.27/11/2024 passed in I.A.No.2 of 2024 in CrI.P.No.14445 of 2024 of this Court.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri T. Bala Mohan Reddy, Advocate for the Petitioners, Sri M. Vivekananda Reddy, Assistant Public Prosecutor on behalf of the Respondent No. 1 and of Sri O. Ramesh, Advocate for the Respondent No. 2.

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HONOURABLE SRI JUSTICE N.TUKARAMJI

CRIMINAL PETITION No.14445 OF 2024

DATE: 20.04.2026

Between :

K Vijaya Sarvani and another.

... Petitioners

AND

The State of Telangana
Rep by its Public Prosecutor High Court for the State of
Telangana and another.

... Respondents.

ORDER:

This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short, "Cr.P.C."), invoking the inherent powers of this Court to seek quashing of the proceedings in C.C. No.1255 of 2024 pending on the file of the learned III Additional Metropolitan Magistrate, Cyberabad.

2. The petitioners herein are arrayed as accused Nos.2 and 3 and are charged with offences punishable under Sections 498-A, 406, and 506 of the Indian Penal Code, 1860 (for short, "IPC"), as well as

Sections 3 and 4 of the Dowry Prohibition Act, 1961 (for short, "D.P. Act").

3. Heard Mr. T. Bala Mohan Reddy, learned counsel for the petitioners, and Mr. M. Vivekananda Reddy, learned Assistant Public Prosecutor appearing for respondent No.1/State.

4.1. The factual matrix, as discernible from the record, is that the marriage between respondent No.2 (defacto complainant) and accused No.1 was solemnized on 15.05.2023 in accordance with Hindu rites and customs. It is an admitted position that the marriage was arranged. The complaint alleges that at the time of marriage, certain cash, gold, and other articles were given as dowry.

4.2. Subsequently, on 15.02.2024, respondent No.2 lodged a complaint before the Saroornagar Women Police Station. The gravamen of the allegations is that the petitioners (parents of accused No.1), along with accused No.1, subjected the complainant to physical and mental harassment. The allegations include body shaming, coercion relating to food habits affecting conception, restriction of personal liberty, and interference with her interaction with her parental family. It is further alleged that she was compelled to work in the office of the petitioners at M/s. K.V.S. Granites, Miyapur. The complaint also states that on 21.11.2023, following a quarrel, she was driven out of

the matrimonial home with a demand for additional dowry. Based on the said allegations, Crime No.69 of 2024 was registered, and upon completion of investigation, a charge sheet was filed culminating in C.C. No.1255 of 2024. Aggrieved thereby, the present petition is filed.

5.1. Learned counsel for the petitioners contends that the complaint and charge sheet disclose only vague, omnibus, and generalized allegations against the petitioners without attributing any specific overt acts. It is submitted that there is a complete absence of particulars such as date, time, or specific instances of cruelty attributable to the petitioners individually.

5.2. It is further contended that the essential ingredients of Section 498-A IPC, namely "cruelty" as defined under Explanation (a) and (b), are not made out, as there is no material showing conduct likely to drive the complainant to commit suicide or cause grave injury, nor any specific harassment linked to unlawful dowry demand. With regard to Section 406 IPC, there is no allegation of entrustment of property nor any specific act of dishonest misappropriation or conversion. The allegation under Section 506 IPC is bald and unsupported by particulars of threat, intention, or resultant alarm. The alleged demand of Rs.10,00,000/- is vague and not supported by details such as context, occasion, or role of the petitioners, thereby failing to attract Sections 3 and 4 of the D.P. Act.

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5.3. Reliance is placed on judicial precedents including *Savitri Devi v. Ramesh Chand*, 2003 SCC ONLINE DEL 483, wherein the tendency to implicate all relatives in matrimonial disputes was deprecated; *Dara Lakshminarayana v. State of Telangana*, 2024 SCC ONLINE SC 3682, emphasizing that prosecution cannot be sustained on vague allegations; and *State of Haryana v. Bhajan Lal*, 1990 INSC 363, which laid down categories for quashing proceedings under Section 482 Cr.P.C., including cases involving mala fide or abuse of process.

6. Per contra, the learned Assistant Public Prosecutor submits that the allegations in the complaint and statements recorded under Section 161 Cr.P.C. disclose a prima facie case and that the truthfulness or otherwise of the allegations must be tested during trial. It is argued that at this stage, interference under Section 482 Cr.P.C. would be premature.

7. I have carefully considered the rival submissions and perused the material available on record.

8. The law is well settled that for an offence under Section 498-A IPC, the prosecution must establish specific acts of cruelty falling within the ambit of Explanation (a) or (b) to the said provision. The Hon'ble Supreme Court in *Kahkashan Kausar @ Sonam v. State of Bihar*, (2022) 6 SCC 599, has categorically held that in matrimonial disputes,

there is a growing tendency to implicate all family members of the husband through omnibus allegations, and such general allegations without specific roles cannot form the basis of criminal prosecution. Similarly, in *Geeta Mehrotra v. State of U.P.*, (2012) 10 SCC 741, it was held that courts must exercise caution in proceeding against relatives of the husband when the complaint lacks specific allegations.

9. In the present case, a careful scrutiny of the complaint and charge sheet reveals that the allegations against the petitioners are general in nature. There is no specific attribution of acts constituting cruelty, nor any clear linkage between the petitioners and the alleged dowry demand. With respect to Section 406 IPC, the essential ingredient of 'entrustment' is conspicuously absent. There is no detailed description of property, manner of entrustment, or subsequent misappropriation. Mere allegations of taking jewellery for 'safe custody', without further particulars, do not satisfy the statutory requirements. Likewise, the allegation of criminal intimidation under Section 506 IPC lacks specificity as to the nature of threat, intention to cause alarm, or circumstances in which such threat was allegedly issued.

10. In *Bhajan Lal*, (supra) the Hon'ble Supreme Court held that proceedings can be quashed where the allegations are so absurd or inherently improbable that no prudent person can conclude that an

offence has been committed. The instant case squarely falls within such category.

11. Having regard to the nature of allegations, absence of specific overt acts, and the settled legal principles governing exercise of inherent jurisdiction under Section 482 Cr.P.C., this Court is of the considered opinion that continuation of proceedings against the petitioners would amount to abuse of process of law.

12. Accordingly, the Criminal Petition is allowed, and the proceedings against the petitioners/accused Nos.2 and 3 in C.C. No.1255 of 2024 on the file of the learned III Additional Metropolitan Magistrate, Cyberabad are hereby quashed.

Pending miscellaneous applications, if any, shall stand closed.

SD/- A.SREENIVASA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

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To,

SECTION OFFICER

1. The III Additional Metropolitan Magistrate, Cyberabad at L.B.Nagar
2. The Station House Officer, Saroor Nagar Women Police Station, Rachakonda
3. Two CCs to Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
4. One CC to Sri T. Bala Mohan Reddy, Advocate [OPUC]
5. One CC to Sri O. Ramesh, Advocate [OPUC]
6. Two CD Copies

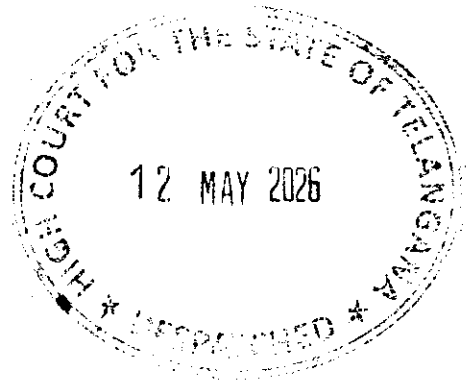
VH/KA

HIGH COURT

DATED: 20/04/2026

ORDER

CRLP.No.14445 of 2024



**ALLOWING THE
CRIMINAL PETITION**

9 MT
11/5/26