



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MRS. JUSTICE M G UMA

CRIMINAL PETITION NO. 9788 OF 2022

BETWEEN:

1. LAKSHMI BAI
AGED ABOUT 62 YEARS,
W/O LATE L NARASAN GOUD,
R/AT G-2 FIRST FLOOR, 1ST CROSS
NANJAREDDY COLONY MURGESH PALYA
BANGALORE NORTH VIMANAPURA,
BANGALORE - 560 017
2. RADHA LINGAL @ RADHA HUMBERI
AGED ABOUT 35 YEARS
W/O SURESH HUMBERI
R/AT NO. 47/48 HALAKATTI
PLOT 1ST CROSS, RAJ NAGAR,
GULAGANJIKOPPA, VTC
DHARWAD - 580001
3. SWATHI LINGAL
AGED ABOUT 34 YEARS
W/O MR VIJAY
R/AT NO.169/2 14TH A
CROSS YELLAMMA TEMPLE,
NAGAVARPALYA, CV RAMAN
NAGAR, BANGALORE NORTH-560093

...PETITIONERS

(BY SRI. JOSEPH ANILKUMAR A., ADVOCATE)

AND:

1. STATE BY KARNATAKA
BY POLICE INSPECTOR
WOMEN POLICE STATION
PULAKESHANAGAR SUB DIVISION
EAST ZONE, BANGALORE 560 051





2. SMT UJWALA BHEEMA
W/O LINGALA VISHAL,
AGED ABOUT 29 YEARS,
NO.1B, 1658, 17TH A
MAIN ROAD, HBR LAYOUT
5TH BLOCK, BANGALORE-560043

...RESPONDENTS

(BY SRI. RANGASWAMY R., HCGP FOR R1:

SMT. TEJASWINI. V., ADVOCATE FOR R2.)

THIS CRL.P IS FILED U/S.482 CR.P.C PRAYING TO QUASH THE ANNEXURE-A AND FURTHER PROCEEDINGS IN C.C.NO.3889/2020 FOR THE OFFENCE P/U/S 498A, 506 OF IPC AND SECTION 3 AND 4 OF DOWRY PROHIBITION ACT PENDING ON THE FILE OF VI ADDL.C.M.M., BENGALURU AGAINST THESE PETITIONERS.

THIS CRL.P, COMING ON FOR ADMISSION, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MRS. JUSTICE M G UMA

ORAL ORDER

The petitioners being accused Nos.2 to 4 in CC.No.3889/2020 pending on the file of the learned VI Additional Chief Metropolitan Magistrate Court, Bengaluru in Crime No.120/2019 of East Zone Women Police Station registered for the offences punishable under Sections 498A and 506 of Indian Penal Code (for short 'IPC') and Sections 3 and 4 of Dowry Prohibition Act, are seeking to quash the criminal proceedings initiated against them.



2. Heard Sri. Joseph Anilkumar. A, learned counsel for the petitioners, Sri. Rangaswamy. R, learned HCGP for respondent No.1 and Smt. Tejaswini. V, learned counsel for respondent No.2. Perused the materials on record.

3. In view of the rival contentions urged by learned counsel for both the parties, the point that would arise for my consideration is:

"Whether the petitioners have made out any grounds to allow the petition and to quash the criminal proceedings initiated against them?"

My answer to the above point is in the 'Affirmative' for the following:

REASONS

4. Petitioners - accused Nos.2, 3 and 4 are the mother and sisters of accused No.1. It is stated that, respondent No.2 married accused No.1 on 21.12.2018 and thereafter started residing with accused No.1 in the matrimonial house. In the complaint it is alleged that, at the time of marriage there was demand for dowry, accordingly, gold and other valuables were



given as dowry and the marriage was performed by spending huge amount.

5. It is alleged that, accused Nos.3 and 4 being the sisters of accused No.1 used to visit the house and there was demand for additional dowry to match their status. It is also stated that, accused No.2 being the mother used to cook food for her son - accused No.1 and used to serve him, not permitting the complainant to do the job.

6. The investigation is completed and the charge sheet came to be filed. According to the charge sheet it was only accused Nos.1 and 2 who were residing in the matrimonial house and accused Nos.3 and 4 used to visit occasionally. Accused No.2 used to pickup quarrel with respondent No.2 and at the instance of accused Nos.3 and 4 and other accused, used to demand for dowry. It is also stated that, respondent No.2 was ousted from the matrimonial house on 24.09.2019, but the first information came to be filed on 31.10.2019. Even though, it is contended that, the complaint was filed and respondent No.2 was referred for counseling, no such materials are placed before the Court.



7. It is brought to notice of the Court that, on 27.09.2012 accused No.1 has filed MC.No.5358/2019 seeking restitution of conjugal rights against respondent No.2 and immediately thereafter, the present compliant came to be filed on 31.10.2019. Respondent No.2 herein had filed the statement of objections in MC.No.5358/2019, the copy of which is produced for perusal of the Court. The said statement was filed during November, 2022, where no allegations what-so-ever is made against the present petitioners.

8. It is contended by the learned counsel for the petitioners that, accused No.1 filed MC.No.209/2020 seeking divorce on 20.01.2020, where respondent No.2 remained absent inspite of service of notice. The copy of the judgment dated 22.10.2024 in MC.No.209/2020 is produced before the Court, according to which respondent No.2 herein remained absent and the judgment was passed granting decree of divorce. Thus the marriage between accused No.1 and respondent No.2 herein was dissolved by a decree of divorce. Till date, the said decree is not challenged by respondent No.2.



9. Considering all these facts and circumstance, I find that there are held allegations against the petitioners, but they are not sufficient to constitute an offence punishable under Sections 498A or 506 of IPC. The marriage between accused No.1 and respondent No.2 is already dissolved by a decree of divorce.

10. Considering all these facts and circumstances, I am of the opinion that registration of criminal proceedings and continuation of the same against the petitioners would be an abuse of process of law. Hence, the criminal proceedings initiated against the petitioners is liability quashed.

11. Accordingly, I answer the above point in the 'Affirmative' and proceed to pass the following:

ORDER

- i) The petition is ***allowed***.
- ii) The criminal proceedings initiated against the petitioners - accused Nos.2 to 4 herein in CC.No.3889/2020 pending on the file of the learned VI Additional Chief Metropolitan Magistrate Court, Bengaluru in Crime No.120/2019 of East Zone Women Police



Station registered for the offences punishable under Sections 498A and 506 of Indian Penal Code and Sections 3 and 4 of Dowry Prohibition Act, is hereby quashed.

In view of the disposal of main petition, pending interlocutory application does not survive for consideration, accordingly, the same is disposed off.

SD/-
(M G UMA)
JUDGE

PNV
CT:VS

List No.: 1 Sl No.: 10