



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 02ND DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE V.SRISHANANDA

CRIMINAL PETITION No.101444 OF 2025 (482(CR.PC)/528(BNSS))

BETWEEN:

1. RAJESAB @ RAJASAB S/O NOORSAB
AGE 39 YEAARS, OCC. JOURNALIST
R/O. #139, ADAVIBHAVI, RAICHUR-584125
(IN FIR IT IS MENTIONED AS RAMALINGESHWAR
COLONY, MUDGAL RAICHUR, DIST. UTTARAKANNADA PIN
CODE 584125)
2. SMT. ASHA BEGUM W/O HUSSAAINSAB MULLA
AGE 44 YEARS, OCC. HOUSEHOLD,
R/O. RAMALINGESHWAR COLONY, MUDGAL,
RAICHUR DIST, PINCODE 584125.
3. HUSAINSAB MULLA S/O LATE CHITTESAB
AGE 52 YEARS, OCC. HEAD CONSTABLE 299
R/O. RAMALINGESHWAR COLONY,
MUDGAL RAICHUR DIST. PINCODE-584125.

...PETITIONERS

(BY SRI. ANNESAHAB SHALAGAR, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
THROUGH DANDELI TOWN POLICE STATION,
R/BY HCGP HIGH COURT BUILDING,
BENCH DHARWAD DHARWAD 580011.
2. SMT. ASHABI NASIR NADAF
AGE 33 YEARS, OCC. GOVT OFFICIAL NON GAZETTED
R/O. FOREST QUARTERS, OLD DANDELI, DANDELI,
DIST. UTTARAKANNADA 581325.

...RESPONDENTS

(BY SMT. KIRTIALATA R. PATIL, HCGP FOR R1;
SRI. VISHWANATH HEGDE, ADVOCATE FOR R2)





THIS CRIMINAL PETITION IS FILED U/S 482 OF CR.P.C. (U/S. 528 OF BNSS, 2023) SEEKING TO ALLOW THE ABOVE CRIMINAL PETITION AND QUASH THE COMPLAINT, ITS FIR AND ENTIRE CRIMINAL PROCEEDINGS INITIATED IN DANDELI TOWN PS CRIME NO. 24/2025 BY THE RESPONDENT NO.1 AT THE INSTANCE OF THE RESPONDENT NO.2 FOR THE ALLEGED OFFENCES P/U/SEC. 3(5), 351(2), 352, 85 OF BNS 2023. WHICH IS PENDING BEFORE THE PRL. CIVIL JUDGE (JR.DN) AND JMFC COURT, DANDELI, DIST UTTARA KANNADA IN SO FAR AS THE PETITIONERS/ACCUSED NO.1 TO 3 ARE CONCERNED AND GRANT ANY OTHER RELIEF.

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

ORAL ORDER

(PER: THE HON'BLE MR. JUSTICE V.SRISHANANDA)

Heard Sri Annasaheb Shalagar, learned counsel for the petitioners, Smt.Kirtilata R. Patil, learned High Court Government Pleader and Sri Vishwanath Hegde, learned counsel for respondent No.2.

2. Learned counsel for the petitioners has filed the memo praying to withdraw the petition as against petitioner No.1 who is the husband of respondent No.2.

3. Petitioner No.2 is the sister-in-law of respondent No.2 and petitioner No.3 is the husband of petitioner No.2. Admittedly, petitioner Nos.2 and 3 are residents of Raichur.



4. Petitioner No.1 married respondent No.2 and they lived separately in Bengaluru for eight months. Later on, they shifted to Yellapur. Petitioner Nos.2 and 3 continued to be there in Raichur.

5. According to complaint averments, petitioner Nos.2 and 3 used to instigate the petitioner No.1 to harass respondent No.2.

6. Petitioner Nos.2 and 3 did not share the common roof with petitioner No.1 and respondent No.2. Omnibus allegations made against petitioner Nos.2 and 3 that they used to threaten respondent No.2 over telephone, cannot be countenanced in law and they cannot be proceeded criminally, in the light of the principles of law enunciated in the case of ***Kahkashan Kausar @ Sonam and others vs. State of Bihar and others*** reported in ***(2022)6 SCC 599***.

7. Accordingly, the following:

ORDER

- (i) Placing the memo on record, petition insofar as petitioner No.1 is ***dismissed***.



(ii) Petition as against petitioner Nos.2 and 3 is
allowed.

(iii) Consequently, pending criminal proceedings
initiated in Dandeli Town Police Station Crime
No.24/2025 is ***quashed*** as against petitioner Nos.2
and 3.

Sd/-
(V.SRISHANANDA)
JUDGE

kcm
Ct-cmu
LIST NO.: 3 SL NO.: 37