



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 26TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE V.SRISHANANDA

CRIMINAL PETITION NO. 103115 OF 2022 (482(CR.PC)/528(BNSS))

BETWEEN:

1. RAMAPRASAD DATTATREYA DESHPANDE
AGE. 38 YEARS, OCC.
R/O. MANJUNATHA NAGAR,
HANUMANTHA TEMPLE BACK SIDE,
HUBBALLI, DHARWAD CITY, KARNATAKA-580030.
2. VIJAYLAXMI DATTATREYA DESHPANDE
AGE. 70 YEARS, OCC.
R/O. MANJUNATHA NAGAR,
HANUMANTHA TEMPLE, BACK SIDE,
HUBBALLI, DHARWAD CITY, KARNATAKA-580030.
3. DATTATREYA KRISHNAJI DESHPANDE
AGE. 70 YEARS, OCC.
R/O. MANJUNATHA NAGAR,
HANUMANTHA TEMPLE BACK SIDE,
HUBBALLI, DHARWAD CITY, KARNATAKA.

...PETITIONERS



(BY SRI. GIRISH S. HIEMATH, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
R/BY SPP HIGH COURT OF KARNATAKA,
DHARWAD BENCH,
THROUGH RANEBENNUR, TOWN PS,
PIN-581115.



2. SMT. BHVANI W/O RAMAPRASAD DESHPANDE
AGE. 29 YEARS, OCC. HOUSEHOLD,
R/O. MRUTYUNJAYA NAGAR,

1ST MAIN, 1ST CROSS,
RANEENNUR DIST. HAVERI-581115.

...RESPONDENTS

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

THIS CRIMINAL PETITION IS FILED U/S 482 OF CR.P.C.,
SEEKING TO QUASH THE PROCEEDINGS IN CC NO.10/2022 WHICH IS
PENDING BEFORE THE ADDL. SENIOR CIVIL JUDGE. JMFC COURT
RANEENNUR FOR THE OFFENCES U/S 498A, 504, AND 506 AND R/W
34 OF IPC, IN THE INTEREST OF JUSTICE.

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

ORAL ORDER

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

1. Heard Sri.Girish S. Hiremath, learned counsel
appearing for petitioners, Smt.Kirtilata R. Patil, learned High
Court Government Pleader appearing for respondent No.1-State
and Sri.N.R.Kuppellur, learned counsel appearing for respondent
No.2.



2. The present petition is filed by petitioners under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, with the following prayer:

"Wherefore, it is most humbly please to quash the proceedings in C.C.No.10/2022 which is pending before the Additional Senior Civil Judge and JMFC, Court Ranebennur for the offences under Sections 498A, 504, and 506 and read with 34 of IPC, in the interest of justice and equity"

3. The petitioners are arraigned as accused Nos.1 to 3 in C.C.No.10/2022, charged with offences punishable under Sections 498A, 504, and 506 read with Section 34 of the Indian Penal Code.

4. Facts of the case in nutshell for disposal of this petition are as under:

4.1 Upon a complaint lodged by the respondent No.2, Ranebennur Town Police registered a case in Crime No.42/2021 on 22.03.2021 for the offences punishable under Sections 498A, 504 and 506 read with Section 34 of the Indian Penal Code (for short 'the IPC').

5. The matter was thoroughly investigated, and a charge sheet was filed. Column No.17 of the charge sheet



reveals that, since there were no children born out of the marital tie, the respondent No.2 was allegedly subjected to physical and mental harassment by all the petitioners.

6. Ultimately, the respondent No.2 was pushed out of the matrimonial home. When attempts were made to reconcile with the first petitioner, there was no cold positive response. Consequently, the respondent No.2 was constrained to lodge the present complaint.

7. Sri.Girish Hiremath, learned counsel appearing for petitioners, would contend that the petitioners had no intention to harass or cause mental agony to respondent No.2.

8. He further submits that petitioner Nos.2 and 3 are aged parents, who are suffering from ailments and have been unnecessarily dragged into the criminal proceedings, thereby causing them undue hardship and sought for allow the petition.

9. *Per contra*, Sri.N.R. Kuppellur, learned counsel appearing for respondent No.2, submits that the complaint and the investigation materials clearly show the involvement of all petitioners in subjecting respondent No.2 to cruelty and harassment. He further argues that old age cannot be taken as a ground to quash the case at this stage, and the petitioners are



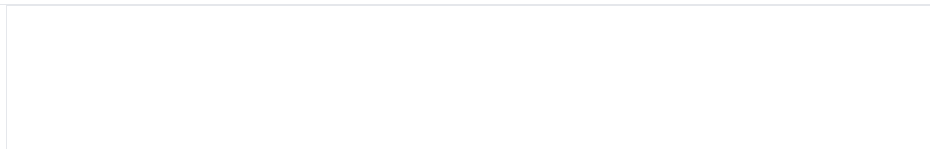
required to undergo trial where their defence can be examined in accordance with law and therefore sought dismissal of the petition.

10. Having heard the arguments of both sides, this Court perused the material on record meticulously.

11. On such perusal of material on record, it is noticed that the materials collected, as indicated in Column No. 17, along with the statements of witnesses and the spot mahazar, would *prima facie* indicate the presence of the necessary ingredients of the alleged offences.

12. In view of this, the plea of old age raised on behalf of petitioner Nos.2 and 3 cannot by itself justify quashing of the proceedings at the initial stage, as such issues are matters of defence to be considered during trial.

13. Taking note of the fact that, all the petitioners shared the common roof and there was no attempt made to bring back the respondent No.2 to the matrimonial home, this Court is of the considered opinion that the grounds mentioned in the petition are not sufficient to quash the pending criminal case.





14. Accordingly, the following order is passed:

ORDER

- (i) The petition is dismissed.
- (ii) All contentions raised by the petitioners are kept open to be considered and adjudicated during the trial in accordance with law.

**Sd/-
(V.SRISHANANDA)
JUDGE**