



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 15TH DAY OF OCTOBER, 2025

BEFORE

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

CRIMINAL PETITION NO.201533 OF 2025

(482(Cr.PC)/528(BNSS))

BETWEEN:

1. PRAKASH S/O RAMU CHAVAN,
AGED ABOUT 53 YEARS,
OCC: TEACHER (GOVT.)
R/O ALUR L.T. NO.2,
TQ. INDI, DIST. VIJAYAPUR.
2. MEERABAI @ MEENAXI,
W/O PRAKASH CHAVAN,
AGED ABOUT 52 YEARS, OCC: COOLIE,
R/O ALUR L.T. NO.2,
TQ. INDI, DIST. VIJAYAPUR.

Digitally signed by
RENUKA
Location: HIGH
COURT OF
KARNATAKA

...PETITIONERS

(BY SRI. GURUPADAPPA GOLAPPA CHAGASHETTI, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
PSI, INDI RURAL P.S.
REPRESENTED BY THE
STATE PUBLIC PROSECUTOR
HIGH COURT BUILDING, KALABURAGI-585103.
2. GUMABAI W/O KAMU RATHOD,
AGE: 65 YEARS, OCC: HOUSEHOLD,
R/O NIMBAL TANDA,



TQ. INDI, DIST. VIJAYAPUR-586101.

...RESPONDENTS
(BY SRI. JAMADAR SHAHABUDDIN, HCGP FOR R1)

THIS CRIMINAL PETITION IS FILED UNDER SECTION 482 OF CR.P.C. (OLD), UNDER SECTION 528 OF BNSS (NEW), PRAYING TO ALLOW THIS CRIMINAL PETITION AND TO QUASH THE CHARGE SHEET AND ENTIRE PROCEEDINGS PENDING ON THE FILE OF ADDL. CIVIL JUDGE AND JMFC INDI IN CC NO.4285/2024 (CRIME NO.177/2024) FOR THE OFFENCE PUNISHABLE UNDER SECTIONS 85, 103(1), 80 READ WITH 3(5) OF BNS ACT 2023 AND UNDER SECTIONS 3 AND 4 OF THE DOWRY PROHIBITION ACT REGISTERED BY THE INDI RURAL PS IN SO FAR AS PETITIONERS ARE CONCERNED.

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

CORAM: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

ORAL ORDER

(PER: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM)

Learned High Court Government Pleader is directed to accept notice to respondent No. 1.

2. This petition is filed by the in-laws of the deceased, seeking quashing of the criminal proceedings pending in C.C. No.4285/2024, registered for the offences punishable under Sections 85, 103(1), and 80 read with



Section 3(5) of the Bharatiya Nyaya Sanhita, 2023, and Sections 3 and 4 of the Dowry Prohibition Act, 1961, presently pending on the file of the learned Magistrate.

3. The brief facts of the prosecution case, as could be gathered from the complaint and the charge sheet material, are that the deceased was married to accused No.1, who is the son of the present petitioners. It is alleged that during the subsistence of marriage, the deceased was subjected to persistent cruelty, harassment, and mental torture at the hands of her husband and his parents, the petitioners herein. The complaint further alleges that the petitioners and accused No.1 were repeatedly pressuring the deceased to assist them in availing a loan, as she was gainfully employed and drawing a regular salary. It is the case of the prosecution that such continuous harassment drove the deceased to severe distress.



4. It is further alleged that on 30.07.2024 at about 4:30 p.m., the deceased had visited her in-laws' house to retrieve her gold ornaments that had been gifted to her by her parents at the time of marriage. However, she was later found dead under suspicious circumstances, following which a complaint came to be lodged by the father of the deceased, resulting in the registration of a case and subsequent filing of the charge sheet against accused No.1 and these petitioners.

5. The present petition has been filed primarily on the ground that there are no specific or direct allegations against the petitioners/in-laws, and that the entire case proceeds mainly on omnibus and general statements. It is contended that the petitioners have been falsely implicated only because they happen to be the parents of accused No.1.

6. However, on perusal of the complaint, statements recorded under Section 180 of the Bharatiya



Nagarik Suraksha Sanhita, 2023, and the charge sheet materials, this Court finds that there exist *prima facie* allegations and circumstances sufficient to proceed even against the petitioners. The materials disclose that the deceased was subjected to continued harassment and mental cruelty not only by her husband but also by the in-laws, in connection with their financial demands. The unfortunate death of the deceased, under circumstances pointing to possible cruelty and dowry-related harassment, gives rise to serious triable issues, which can only be adjudicated after a full-fledged trial.

7. It is now well-settled that the inherent jurisdiction of this Court under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (corresponding to Section 482 of the Cr.P.C.) is to be exercised sparingly and with great caution, particularly when the allegations disclose a heinous and serious offence such as one involving unnatural death of a married woman. The truthfulness or otherwise of the allegations, and the extent



of involvement of the petitioners, are all matters that can be determined only upon appreciation of evidence during trial. At this stage, when there is some material connecting the petitioners with the alleged acts of cruelty, interference by way of quashing would not be justified.

8. In view of the above discussion, and without expressing any opinion on the merits of the case, this Court is of the considered opinion that the petitioners have not made out a case for exercise of the extraordinary jurisdiction under Section 528 of the BNSS.

ORDER

The petition being devoid of merit stands dismissed.

All pending interlocutory applications, if any, stand disposed of.

Sd/-
(SACHIN SHANKAR MAGADUM)
JUDGE

SRT
List No.: 1 Sl No.: 13
CT:SI