



HC-KAR

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NC: 2026:KHC:24183  
CRL.P No. 13137 of 2025

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 29<sup>TH</sup> DAY OF APRIL, 2026**

**BEFORE**

**THE HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR**

**CRIMINAL PETITION NO. 13137 OF 2025 (482(Cr.PC) / 528(BNSS))**

**BETWEEN:**

1. SRI MITHU MANOJ SANGHAVI  
SON OF MANOJ HIRACHAND SAHGHAVI,  
AGED ABOUT 32 YEARS,
2. SRI. MANOJ HIRACHAND SANGHAVI,  
SON OF HIRACHAND CHUNILAL SAHGHAVI,  
AGED ABOUT 55 YEARS,
3. SMT. REKHA MANOJ SANGHAVI,  
WIFE OF MANOJ HIRACHAND SAHGHAVI,  
AGED ABOUT 53 YEARS,

PETITIONERS 1 TO 3 ARE  
RESIDING NEXT TO JAIN MANDIR,  
R/AT AN BUILDING, 204,  
BHAWANI PELH, PUNE CITY,  
MAHARASTHRA-411 042.

4. SRI. HIRACHAND SUNILAL SANGHVI  
@HIRACHAND CHUNILAL SANGHAVI,  
SON OF CHUNILAL HUKAMAJI SANGHVI.  
AGED ABOUT 78 YEARS.
5. SRI. HITESH HIRACHAND SANGHVI  
@ HITESH HIRACHAND SANGHAVI,  
SON OF HIRACHAND CHUNILAL SANGHAVI  
AGED ABOUT 50 YEARS.
6. SRI. JINENDRA MANOJ SANGHVI  
@JINENDRA MANOJ SANGHAVI,  
SON OF MANOJ HIRACHAND SANGHAVI  
AGED ABOUT 27 YEARS.





7. SRI. SHEEL HITESH SANGHVI  
@SHEEL HITESH SANGHAVI,  
SON OF HITESH HIRACHAND SANGHAVI  
AGED ABOUT 21 YEARS
8. SMT. DARSHANA SHAILESH SHAH  
DAUGHTER OF HIRACHAND CHUNILAL SANGHAVI,  
AGED ABOUT 53 YEARS,  
RESIDING AT NO.101,  
PLOT NO.97, ROAD NO.10,  
NEAR JAWAHAR NAGAR POST OFFICE,  
JAWAHAR NAGAR,  
GOREGAON WEST,  
MUMBAI, MAHARASTHRA-400 062.
9. SMT. MANIBEN HIRACHAND SANGHAVI,  
WIFE OF HIRACHAND CHUNILAL SANGHAVI  
AGED ABOUT 76 YEARS

PETITIONERS 4 TO 7 AND 9 ARE  
RESIDING AT S.NO.586/A/3/1/2,  
PLOT NO.7, CITY PARK SOCIETY,  
BIBWEWADI, MARKET YARD POST,  
PUNE, MAHARASTRA-411 037.

10. SMT. DAMAYANTHI PRADIP RATHOD,  
WIFE OF PRADIP RATILAL RATHOD,  
AGED ABOUT 58 YEARS.
11. SRI. PRADIP RATILAL RATHOD,  
SON OF RATILAL GENAJI RATHOD,  
SON IN LAW OF HIRACHAND CHUNILAL SANGHAVI,  
AGED ABOUT 59 YEARS

PETITIONERS 10 AND 11 ARE  
RESIDING AT PLOT NO.24,  
MAHAVIR NAGAR, JAIN MANDIR GALLI,  
RAJARAMPURI, KOLHAPUR,  
MAHARASTRA-416 006.

12. SMT. GEETHA HITESH SANGHVI,  
WIFE OF HITESH HIRACHAND SANGHAVI,  
DAUGHTER IN LAW OF HIRACHAND CHUNILAL SANGHAVI,  
AGED ABOUT 46 YEARS,  
RESIDING AT S.NO.586/A/3/1/2,



PLOT NO.7, CITY PARK SOCIETY,  
BIBWEWADI, MARKET YARD POST,  
PUNE, MAHARASTRA-411 037.

...PETITIONERS

(BY SRI. SANDESH J. CHOUTA, SENIOR COUNSEL APPEARING FOR  
SRI. C. SHANKAR REDDY, ADVOCATE)

**AND:**

1. STATE BY VISHVESHVARAPURAM  
SUB DIVISION,  
SOUTH WOMEN POLICE STATION,  
BENGALURU CITY.  
REPRESENTED BY STATE PUBLIC PROSECUTOR,  
HIGH COURT OF KARNATAKA.  
BENGALURU – 560 001.
2. SMT. ESHA JAIN,  
WIFE OF SRI MITHUN MANOJ SANGHVI,  
AGED ABOUT 31 YEARS,  
R/ AT NO.379/7, 'RAJESHWARI NIVAS', SB ROAD,  
VISHVESWARA PURAM,  
BENGALURU 560 004.

...RESPONDENTS

(BY SRI.M.R.PATIL, HCGP FOR R-1  
SMT. ESHA JAIN, R-2 (PARTY-IN PERSON))

THIS CRL.P IS FILED U/S 482 CR.PC (FILED U/S 528 BNNS)  
PRAYING TO QUASH THE CHARGE SHEET IN CC NO.25260/25  
LODGED BY THE FIRST RESPONDENT THE SOUTH WOMEN POLICE  
STATION VISHVESHVARAPURAM SUB DIVISION, BENGALURU CITY  
AGAINST THE PETITIONERS FOR THE ALLEGED OFFENCES P/U/S  
498A, 323, 504, 506, 354 R/W 34 OF THE IPC AND SECTION 3 AND 4 OF  
DP ACT PENDING ON THE FILE OF THE 37TH ADDL.CMM AT  
BENGALURU.

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



CORAM: HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR

**ORAL ORDER**

The petitioners are accused 1 to 12 seeking quashing of the impugned proceedings in C.C.No.25260/2025 arising out of an FIR in Crime No.165/2024 lodged by the 1<sup>st</sup> respondent – Police, pursuant to a complaint given by the 2<sup>nd</sup> respondent – *de facto* complainant for alleged offences punishable under Sections 498-A, 323, 504, 506, 354 r/w 34 IPC and Sections 3 and 4 of the D.P.Act.

2. Briefly stated, the facts giving rise to the present petition are as under:-

The 2<sup>nd</sup> respondent – *de facto* complainant who was residing along with her parents at Bangalore got married to the 1<sup>st</sup> petitioner on 02.05.2023 at Bangalore. It is contended that none of the petitioners are residents of Bangalore and that all of them are residing at Pune and Bombay at the addresses mentioned in the cause title to the writ petition.

It is contended by the petitioners that the 1<sup>st</sup> petitioner was residing and working in USA at the time of his marriage with the 2<sup>nd</sup> respondent, who went to the matrimonial home at Pune and stayed there till 17.05.2023, after which, she came back to her parental



home. Thereafter, on 16.07.2023, the 2<sup>nd</sup> respondent joined the petitioner in USA and returned to her parental home at Bangalore on 16.01.2024 and was there till March, 2024. It is further contended that between March, 2024 and May, 2024, the 2<sup>nd</sup> respondent traveled between her parental home at Bangalore and the matrimonial home at Pune and finally, returned back to Bangalore to her parental house on 05.05.2024. Petitioners further contend that on 28.11.2024, the 1<sup>st</sup> petitioner initiated divorce proceedings before the Family court, Pune, against the 2<sup>nd</sup> respondent, who thereafter lodged the impugned complaint against the petitioners before the 1<sup>st</sup> respondent – police authorities, who conducted investigation and filed the impugned charge sheet pending in C.C.No.25260/2025, which is assailed in the present petition.

3. Heard learned Senior counsel for the petitioners and learned HCGP for 1<sup>st</sup> respondent – State and 2<sup>nd</sup> respondent – party, in-person and perused the material on record.

4. In addition to reiterating the various contentions urged in the petition and referring to the material on record, learned Senior counsel for the petitioners invited my attention to the impugned



complaint, FIR and charge sheet material in order to contend that the same do not disclose the commission of any offences by the petitioners. It was submitted that the 2<sup>nd</sup> respondent who is in the midst of matrimonial disputes / proceedings between herself and 1<sup>st</sup> petitioner – husband has filed the impugned complaint with a malafide intention and ulterior / oblique motive of wreaking vengeance against the petitioners by giving a purely matrimonial disputes a cloak of criminality which amounts to abuse of process of law and the same deserves to be quashed. It is also submitted that the necessary ingredients constituting the offence under Section 354 IPC had not been made out as against the 4<sup>th</sup> petitioner – accused No.4, who was the paternal grand father of the 1<sup>st</sup> petitioner and the impugned proceedings against him for the said offence also deserve to be quashed. It was therefore submitted that the impugned proceedings against all the petitioners was nothing but an abuse of process of law and the same deserve to be quashed by placing reliance upon the following judgments:-

- (i) Achin Gupta v. State of Haryana, (2025) 3 SCC 756;**
- (ii) Digambar v. State of Maharashtra, 2024 SCC OnLine SC 3836;**



- (iii) Dara Lakshmi Narayana v. State of Telangana, (2025) 3 SCC 735;***
- (iv) Kamal v. State of Gujarat, 2025 SCC OnLine SC 1726;***
- (v) Ghanshyam Soni v. State (NCT of Delhi), 2025 SCC OnLine SC 1301;***
- (vi) Sanjay D. Jain v. State of Maharashtra, 2025 SCC OnLine SC 2090;***
- (vii) Abuzar Ahmed v. State of Karnataka, 2026 SCC OnLine Kar 54;***
- (viii) Naresh Aneja v. State of U.P., (2025) 2 SCC 604.***

5. Per contra, learned HCGP as well as the 2<sup>nd</sup> respondent – party, in-person would submit that the various contentions urged by the petitioners relate to disputed questions of fact which would necessarily have to be adjudicated only during trial and not in the present petition under Section 482 Cr.P.C. and as such, in the light of the material on record comprising of the complaint, FIR, charge sheet material, statement of witnesses and documents, the question of quashing the impugned proceedings at this stage would not arise in the facts and circumstances of the instant case and the present petition being devoid of merit is liable to be dismissed. In



support of their submissions, they would place reliance upon the following judgments:-

*i) Samantha Christina Delfina Willis & Anr v. State of Karnataka in WP No. 24602/2021 Final Order dated 01.06.2022;*

*ii) Ranjith Kour and Anr. v. U.T. of J&K and Ors. in CRM (M) No. 336/2021 Order date 16.04.2025 (High court of Jammu & Kashmir And Ladkh at Jammu);*

*iii) Tomon v. State of Kerala in Crl. Rev. Petition No. 890/2018 Order Dated 27.11.2025 ( High Court of Kerala at Ernakulam);*

*iv) Abhilasha Shroti v. Rajendra Prasad Shroti, 2024 SCC OnLine All 4390.*

6. I have given my anxious consideration to the rival contentions and perused the material on record.

7. Before advertng to the rival contentions, it would be necessary to extract the impugned complaint dated 11.12.2024 lodged by respondent No.2 before the respondent No.1-Police as hereunder:

*"To,*

*The Police Inspector  
Basavangudi Women Police Station  
South Division, Bangalore*



*From,*

*Esha Jain  
W/o Mithun Manoj Sanghvi  
No-379/7, Rajeshwari Nivas  
SB Road, V V Puram  
Bangalore-560004  
(m) 9538745688*

***Subject:*** *I have Suffered Dowry Harassment, Cheating, Mental Torture, Physical Assault, Abuses, Life threatening at the hands of my husband, in-laws and his family members,*

1. *I, ESHA JAIN, aged about 30 years, D/o Jinendra Kumar Jain. W/o Mithun Manoj Sanghavi residing at 379/7, Rajeshwari Nivas, SB Road, V V Puram, Bangalore 560004.*

2. *I would like to bring facts for your necessary actions. I am legally wedded wife of Mr. Mithun Manoj Sanghavi, S/o Manoj Hirachand Sanghavi and Rekha Manoj Sanghavi residing at Plot no 40, Pitle Naga Society, Market yard, Pune 411037. We belong to Jain Community and my marriage with. Mithun Manoj Sanghavi was arranged and solemnized as per the Hindu Rites and Customs prevailing in our Jain Community at Gloden Palms Hotel and Spa Bangalore on 02/05/2023*

3. *As per the demands made by my husband, My in-laws, his grandparents, my parents performed my marriage in a Grand manner at Golden Palms Resort And Spa Bangalore by spending 1 crore including the following item given as per their dowry demands 600 grams of gold*



*articles, 12kgs of silver articles, 5,00,000/- cash, other items like crockery, cutlery, bedsheets, blankets, electronics, suitcase set worth 2,00,000/- given at the time of wedding. And at the time of engagement on 27th November 2022, 200000/- cash to husband, Gold ring, gold chain, hold bracelet worth 70 grams , 5 kg Silver, ai watch (Apple) worth 50000, and other valuable items like accessories, cosmetics ,branded clothes worth 2 lakhs for husband and 3,00,000 cash were distributed among family members. Myself, my brother Piyush Rathod, Father Jinendra Kumar Jain and my family relatives went to Pune for the engagement function.*

*kitchenware items like steel vessels and Indian food items worth 2,60,000 lakhs sent by my parents to USA as per in-laws demands after marriage going to USA.*

4. *Prior to engagement my husband, my in-laws, his grandparent's, uncle Hitesh, uncle Pradeep, discussed with my parents regarding dowry demands of 1 kg gold, 20kg silver, 10 lakhs cash, gold chain to all male members and gold earrings to all female members of the husband family and told my parents that my son works In USA he will keep your daughter well. On 27/11/2022, after the engagement function my in-laws, grandparents, and family members asked my father to perform marriage at the earliest then my father asked them to give some time as he is not able to adjust to their dowry demands made for the wedding, they told my father how much ever you can make do it and rest after the wedding you give it. And told my father to perform marriage in a grand manner at five-star property and 200*



*members stay to be arranged with airport pick and drop to all the members coming from Pune.*

5. *Marriage date was fixed on 02/05/2023, my father planned to book "The Golden palms resort and spa" Bangalore and talked about the venue to them, they said first we will check the wedding venue and then you can book. In the month of January 2023 My husband, my in-law, and his brother Jinendra visited to Bangalore to my parent's house to discuss regarding their dowry demands and to check the wedding venue, given their approval to book. My father. booked the resort for 32 lakhs and performed the wedding on 02/05/2023. And total wedding expenditure came to 1 Crores.*

6. *My parents performed my marriage with the fond hope that I would be looked after well, and placed comfortably in matrimonial home after marriage, all the given jewellery, valuable articles and my belongings are in the custody of the husband and his parents.*

7. *After the wedding on 03/05/2024 in Bangalore, Husband, my in laws and grand Parents demanded to arrange remaining dowry immediately and left for pune.*

8. *After the marriage, I joined the matrimonial home . My mother-in-law Rekha Sanghavi from the first day itself never treated me well , not talking to me in a proper way, giving me strange looks and did not give me proper food to eat.*



9. On 6<sup>th</sup> May 2023 me and my husband came to Bangalore to my parental house, his behavior was very rude towards me and my family, very disrespecting, raising topic about remaining dowry to arrange at earliest, started abusive words on me harassing me and tried to hit me for the same. My parents were upset and shocked seeing his behavior, tried to make him understand and behave obediently.

10. My husband left for USA alone on 17/05/2023 said, he sent me to my parents house and assured he will book my tickets soon, at my parental house his grandfather Hirachand used to call me every day for several times mentally harassing me to arrange remaining dowry and pressurizing me to "Conceive" Immediately, He used to talk very inappropriately, making me feel awkward by intimacy talks, During my stay at matrimonial home, he used to enter my room without knocking the door. (call recordings, messages, no of calls he use to make details enclosed)

11. In the month of June 2023 his grandparents Hirachand, Maniben and brother in-law Sheel came to Bangalore stayed at my parental house, started harassing me and my father to arrange remaining dowry immediately, they will take and go with them to Pune, if not keep your daughter at your place itself we will not send her to USA, My Father never wanted to make situation worse by arguing with them, he assured and requested them to grant some time till December to arrange their demands and send me to USA earliest. In the same month my in laws visited



*Bangalore to finalize about the remaining dowry demands, so that they can book my tickets to USA, harassing and talking rudely with me and my family.*

12. *16/07/2023, I reached USA, my husband was not happy at my arrival, there was no basic arrangements to even cook. My mother-in-law (Rekha) told me to ask my mother to send all the items from your place. All the kitchenware and food items sent by my mother to USA of 2.6 lakh.*

13. *I stayed about 6 months in USA, he treated me like a servant, he never treated me like a wife. He used to mentally torture me frequently for the dowry demands, use to quarrel me, raised his hands many a times, when I told about his physical abuse to my father and brother, my father called husband made him understand what you are doing is wrong, don't even think of raising hands on my daughter behave obediently. My Husband asked sorry to my dad and he won't repeat it again. He was not interested in physical relationship when I ask him about this, he said you stink a lot, you stink worse than animals, that's why I don't hold any interest or physical intimacy with you and he use to tell me stay below my feet and touch my feet every day. (Audio recording) During Diwali I posted a picture of mine and my husband's hand on Instagram, just for that he raised his hands and shouted at me to remove the picture. (picture attached)*



14. *During my stay in USA, my in-laws, his grandparents, his uncle Hitesh, aunty Darshana and Damyanti use to frequently call me and mentally torturing me by raising the topic of dowry demands. I never shared this to my parents because this would hurt them.*

15. *My husband sent me back to India to my parent's house to meet his and family's demands. I reached Bangalore, India on January 16<sup>th</sup> 2024, very next day on 17th January my in-laws and his Grandparents called me and my Father, and asked him remaining 400 grams of Gold, 8kgs silver, cash and gold chain and gold earring to family members. once its ready I will send uncle Hitesh and father-in-law (Manoj) to collect and they will take me along. My dad was really upset and mentally harassed because of their continuous demands. He tried to make them understand what they are doing is wrong. My dad couldn't fulfill the demands. His family member mother-in-law (Rekha)and grandmother (mani ben) kept demanding the same. After few days his aunt (Damyanti, Darshana, Gita) use to frequently call me and my mother and kept demanding the same. They all were giving mental torture to me and my family.*

16. *On 17<sup>th</sup> March 2024, they called me to Pune to attend religious function for their reputation. I was afraid to go, I asked my husband if his family torture me again, he said nothing will happen go and come. When I went to my matrimonial house. My in-laws, aunt (Darshana, Gita), grandparents (Hirachand, Maniben) didn't talk to me,*



*ignored me, and taunting me saying she came with the empty hand. Everyone in the house were ignoring me, making me feel lonely, creating awkward situations to even stand in the house, talking bad things about my parents in front of relatives. Next day on 18 march 2024, his grandparents, his aunt (Darshana), uncle (Hitesh), called me in the living area warned me and said it's been too long, I taught you would get done all the demands we told your father also, he didn't take seriously, make your father understand and get the things ready at the earliest The same night till 3 am, my father-in-law tortured me and kept asking me about my investment, my savings and about my dad's income. I called my father and husband on a conference call and discussed regarding the torture happening by father-in-law, husband spoke badly to me and my dad, and abruptly kept the call. And on 20/03/2024 I came back to my parents' house.*

17. *After one month 17<sup>th</sup> April 2024, my husband (Mithun) came to India. On 26<sup>th</sup> April 2024 I went back to matrimonial home. Husband came to pick at airport, he had no excitement or happiness meeting me after so many months. He didn't even greet me or said anything good. Very arrogantly he shut his car door and started to drive fast. I asked if everything is okay, he said did you get what you were supposed to get? How long should we wait? I said for the function I came, whatever demands you have please talk to my dad, He also told me that your cash and gold will be taken care by me and my family. It will be in our custody. He was previously engaged to a girl just because her family*



*didn't fulfill the demands, He abused her and broke the engagement. He said he will do the same if you don't fulfill the demands and leave you in India and won't take me back to USA.*

18. *On 27<sup>th</sup> April 2024, I went along with my husband to buy medicine and shampoo for me. There he abused me for buying all these and told me your dad has not given me the money to buy all this. I started to feel anxious and my blood pressure went down because of his abusive nature. There was a coconut vendor opposite to medical I went there to have, husband was standing aggressively and I asked him if he wants coconut water, he got offended and tried to raise his hands, my husband left me there itself and I started to walk towards the house crying. When I reached home grandparents, brother-in-law (Jinendra and Sheel) came inside my room and started to cover up things and saying to my husband that if you get angry don't hit her rather throw something to remove your anger. (video recording)*

19. *Everyone were supporting my husband, after some time my father-in-law (Manoj) and mother-in-law (Rekha) and husband called me in living area and locked the door. Started to abuse me saying you're good for nothing, you're unfit for my son, he works in USA still he has chosen you, we are unhappy making you as our daughter in law, you still have not got anything we had asked for. I started to shiver, my father-in-law and husband both sitting together making fun of me and my family somehow i managed to open the*



*door and i left from the place whole day i kept crying without eating anything. (video recording attached for proof)*

*20. On 29<sup>th</sup> April 2024, husband had gone to hospital for regular checkup at 9am, I accompanied him till 12.30 PM we both did not had breakfast I had gone to his house to get breakfast for him I was about to enter in the kitchen , mother-in- law was talking to her mother regarding dowry demands, I manage to record the audio conversation of my mother-in-law and her mother saying-*

*Mother in-law's mother didn't she get gold?*

*Mother in-law: no, she did not get anything, she got stones... stones... stones from her house, she kept singing of gold, her parents did not send any gold along with her.*

*Mother in-law's mother: this should not happen. she should get gold and give you all, Mithun(husband) did not ask her about it?*

*Mother in-law: even my son tried asking her, she didn't get still he is also very tired asking so many times.*

*Mother in-law's mother: why are you not taking her to your relative's place?*

*Mother in-law: if I take her, they will pay her cash and esha will put in her bag. when relatives come to my house I have to pay their daughter in law, it's going to be huge lose for me. let her stay here only, she is a headache and she keeps lying that she unwell all the time and don't do work and on that she did not get anything from her house. (Audio recording attached)*



21. *my-mother-in-law got to know I was recording she ran behind me to delete that video, she informed grandfather, and brother-in-law (Sheel and Jinendra) regarding the recording they all came to my room and asked me to delete the recording, my brother-in-law Jinendra held my hands and Sheel forcibly tried to snatch phone from me and told me to delete the recording. I screamed for help loudly and managed to send them out of the room, same day I was so scared, mentally disturbed and kept crying whole day without eating anything.*

22. *on 30<sup>th</sup> April 2024, I woke up in the morning and went to the kitchen and my father-in-law asked me to prepare tea. to show his anger he threw the tea on me and started using bad words on me and harassing me saying came empty handed and can't even prepare one tea properly. I got scared and ran away to temple and whole day I was in a very bad condition.*

23. *Next day on May 1st and 2<sup>nd</sup> may there was a wedding in Mahabaleshwar of my cousin, I went to ask permission from my husband, he said go and ask his grandfather, when I went to ask his permission, grandmother, my in laws, all were sitting together and clearly said you can't go to wedding, until and unless you don't fulfil the demands, and your husband will go back alone to USA without taking you back , I was mentally harassed by their behavior and went crying in the room . After sometime my husband called me down and ordering me to carry his heavy bags to the room in front of the whole*



*family , when I denied you can carry your own bags, he came and held my mouth and said in our house women carry bag and not men How dare you tell me to carry? just do whatever I say I refused and went to my room, my husband came running behind me, pushed me on the bed, started hitting me, when I raised voice how can you hit me? he said wait I will call my parents they will teach you the lesson. His grandparents, brother-in-law (Jinendra), mother-in-law (Rekha) came into my room and started to harassing me with their abusive words, suddenly his dad came to hit me and told me it's my house i can do whatever I want and get out of my house. Then grandfather held my hands very tightly, hit me and pushed me on the bed and told to shut up. (video recording) his uncle Hitesh came to my room and warned me saying today's incident should not go out of the house, just be careful and don't tell to your parents. after every one left from my room called my dad i immediately and said about incident happened. my dad called My in laws and warned them to behave respectfully with my daughter and don't even try to raise hands on her, tried to make then understand that what they did is wrong. then my dad told me to sleep, I was very scared that night could not sleep.*

*24. Next day on 1<sup>st</sup> May 2024, when i didn't get permission for my cousin wedding, I called my brother and said about the incident happened, immediately he called husbands grandfather and told him he is sending a car for me and kindly send her without any trouble. husband got to know about and made an issue out of this and bit me hard*



*on chicks and neck and held my mouth tightly and said how can your brother send a cars without my permission. when my brother sent a car, they had no other option apart from sending me to the wedding, my husband also joined me at the wedding. the journey was about 3 hours. during that time husband started. abusing me and scared me that he will throw me out of the car if I don't get cash and gold at earliest.*

25. *During the wedding he was acting so bad with me that my brother and cousins got embarrassed. my mother tried to make him understand and he misbehaved with her also. after the wedding on May 3<sup>rd</sup> 2024, I booked a resort by myself to celebrate 1st wedding anniversary, he was least interested to celebrate nor took any initiative to make it special and didn't even greet me, he was in his own mood. whole day I spent alone in the resort, I was upset and heart broken*

26. *while returning after my cousins wedding, husband and his family told my mother and brother of visit my marital house in Pune before heading to Bangalore. When my Mother and brother entered the house , my in laws , his grandparents, aunt Darshana, Gita and brother in law Jinendra and Sheel were at home, no one greeted my mother and brother well, they did not even ask for water, all sudden husbands grandfather raised his voice and asked when are you going to give remaining demands we are answerable in the society we have a reputation, husbands grandmother Mani ben and aunt Darshana, my mother in*



*law and aunt Gita called me "mentally unstable" please consult Psychiatrist and his aunt Darshana - started comparing with her daughter-in-law saying she is so nice and kind but you are not, then my mother told I know my daughter please stop calling her mentally unstable and my mom started to cry, my brother got upset and asked them not to use wrong words for my sister this is not the right way you speak to us, brother in law Jinenrda an Sheel warned my brother not to raise his voice, my father in law came towards my brother, pointed finger on him and challenged him saying "you will know soon what I will do", my brother got really scared and left from there immediately.*

*27. On 5<sup>th</sup> May 2024 they sent me back to my parent's house. After that I called my husband several times to know about going back to USA. he did not pick my call and his family members were also not picking the call, between 6th may to 14th may they stopped picking my calls, I called more than 45 times (message attached), everyday my father, mother, brother called him and his family but no one picked the call. they tried calling husband, grandparents my in laws, his brother, his uncle (Hitesh) no one picked the call. we called husband's uncle (Pradeep) who stays in Kolhapur, he spoke to my father rudely please clarify giving things to them, then they will pick the call if not do whatever you want, my dad was upset and shocked of their behavior.*

*28. On 15<sup>th</sup> May we got to know husband is leaving soon to USA without taking me back there. me and my dad immediately booked tickets to Pune spending 30k for flights*



*and went to my matrimonial house. they were shocked to see us, when my dad asked why are you not picking calls, they didn't answer anything, they pointed out the topic of demands and told my dad to give things to us, my dad was so irritated because of their behavior, he requested and made them understand what they are doing is wrong and don't spoil my daughter's life, then they told my dad let your daughter stay in India till December till then fulfill all the demands because it's about my reputation, my dad warned them if you are going to do this it's not good, after few minutes of arguments they agreed to take me back along with him to USA. We believed their words and left from Pune to Bangalore. Whole family were present (husband, Grandparents, My in-laws, uncle (Hitesh), both the brother-in-law (Sheel & Jinendra), both the aunt (Darshana, Gita) arguing with my dad.*

29. *I got to know from husband that he is going to USA on 18/05/2024. Husband told me to come after 10-15 days, he said I will be staying with my friends so don't come. since then, husband stopped talking to me neither his family, they stopped picking up my family's calls. I tried calling my husband more than 1000 times and begging him to pick, he was not answering calls (message attached) he kept saying on message "to go to Pune and clarify things'. it's been more than 7 months he abandoned me in India. he and his family have stopped picking the calls of my family my dad and my brother use to call many a times in a day but my husband and his family were least bother to receive the call. after many tries, sometimes he used to receive my call and*



HC-KAR

*he used to abuse me, mentally torturing me, threatening about my life, talking bad things about my looks, calling me mentally unstable. when I tried to ask him why are you not booking my tickets for USA, he told me to stop begging me to come to USA. you're are not worth coming to USA. my dad tried. to call many a times to husband, his dad, grandfather, his uncle (Hitesh and Pradeep) no one picked the call. My father reached out relatives of husband's saying that they are not taking my daughter please let us know what to do my daughter's life is getting spoiled, they all remained silent in this matter and said we don't want. to involve in this matter. (proof attached of the calls made by my dad)*

*Still, I didn't lose hope I kept calling him every day to ask but same verbal abuse and mental torture he used to give me. (no of calls attached)*

*30. On 15<sup>th</sup> July 2024 my husband terminated the house of USA where we had stayed, without asking me, he changed the house without telling the address of new house, he took away all my belongings in his custody without my consent. He was not giving the address where he is residing now. All my belongings and valuables like gold, cash is with him in USA and with his family in Pune. I tried to grant the termination over mail and called leasing office to extend the house lease but my husband rejected that offer and moved out to new place so that i can't reach out to him. I don't even know where he is currently staying*



*and denying to give the address when I and my family asked him. (proof - I mailed to leasing office)*

*31. I kept reaching out to husband for months, on 9<sup>th</sup> August 2024 he picked my call after many attempts and started abusing me saying your face looks gutter, "tu toh do kodi ki hai", nights times where do you go and work, you are zero in your life, you didn't earn anything in you life, like parle -g you earned in your life, defaming me and speculating that my wife is a Bipolar Disorder and Mentally Unstable and used to say bad things on my modesty , you look like gutter, wear torn jeans and roam around with guys at night you hold poor profession - interior design has zero value kept degrading my profession, my dress, my character, and my family, you hold no image. He used to abuse my dad and brother they are worthless, shallow, call my father "CHICHORA" (msg and call proof attached)*

*32. one day I was on a call with my husband, he was talking very ill with me, I handed over the call to my father, husband told my dad to go Pune and clarify a sap. My father questioned my husband asking is it right what you and your family is doing with my daughter? Mentally and physically torturing, using abusive words asking us dowry, forcing to conceive all this is correct?? He replied "its correct". (proof audio recording)*

*33. 10<sup>th</sup> August 2024 husband messaged me saying that i will not come before December, you find job and start to work by yourself..*



34. 14<sup>th</sup> August 2024 my father called his uncle (Hitesh), he picked the call started to manipulate with his words asked my dad to come Pune and clarify, then connected one call with another uncle of husband (Tejpal) he started abusing my father threatened my dad and said to my father that "you all would not even get to know, when and how I'll do" and abused (said chutiya) and kept the call, uncle Hitesh told to father that "you have given your daughter you must come more than 10 mtimes also for your daughter.

35. Husband never picked Indian number, and when my family tried to call his family from different number, they use to not pick or disconnect the call after hearing our voice till now. (proof audio recording).

36. Husband told me and my family they are giving you 'second chance" just accept all the conditions and come to Pune and he also he threatened on call saying come to Pune people are in "thrust for your blood" (khun ka pyasa) and I will belt you properly (hagdi nikalunga). (msg and audio proof)

37. Husband and his family have blocked me and family, and has completely disconnected any sort of communication making me and my family go with mental abuse. This shows their clear intentions of cheating, abusing, harassing, and demanding things from us and to succeeded in their cowardly act. Mithun is not picking any Indian number and his family is also not picking any number, we tried to contact them from different numbers



*they are least botger to respond to the calls. Very shamelessly, they have not responded for 7 moths ( attached calls made and msgs sent)*

*38. Me and my father anxiously waiting for 7 months, my husband or my in-laws would come and take me back to matrimonial house, till now they never turned up from all this conduct it is clear that he has no intentions to take me back and live a happy life with me. I have suffered dowry harassment, cheating, mental and Physical assault, abuses, life threatening at the hands of my husband, in-laws Manoj Sanghavi, Rekha Sanghvi, Grandparents Hirachand, Mani ben, and family members Jinendra Sanghavi, Hitesh Sanghavi, Sheel Sanghavi, Darshana, Pradeep, Damyanti and Gita.*

*THEREFORE, I request you to take appropriate legal action against them and render justice to me.*

*Thank you*

*Yours Faithfully  
Esha Jain”*

8. A bare perusal/reading of the contents of the impugned complaint would clearly indicate that the same cannot be said to contain vague, bald, general, omnibus or sweeping allegations made by the respondent No.2 against the petitioners herein and on the other hand, material particulars including details of alleged



incidents are clearly forthcoming in the impugned complaint, which clearly discloses the commission of the alleged offences by the petitioners. In fact, the respondent No.2 – complainant has narrated with reference to specific dates and events the various instances and details, which according to her establish the commission of the offences by the petitioners. Under these circumstances, the contention of the learned Senior Counsel for the petitioners that the respondent No.2 filed a false and frivolous complaint relating to matrimonial disputes between herself and the petitioner No.1 with malafide intention and ulterior motive and wreak vengeance against the petitioners by giving the same, a cloak of criminality cannot be accepted.

9. As noticed above, in pursuance of the aforesaid allegations, the respondent No.1 – Police conducted investigation and recorded the statements of the complainant (CW-1) and ten witnesses (CW-2 to CW-11) along with other material on record comprising of photographs, bills, receipts, invoices, documents, pen drives, whatsapp chats, etc., all of which are part of the charge sheet material. The Police Authorities also drew up the mahazar in the presence of witnesses which is also produced along with the



charge sheet which comprises of other documents also. The relevant portions of the charge sheet are as under:

“ದಕ್ಷಿಣ ವಿಭಾಗದ ಮಹಿಳಾ ಪೊಲೀಸ್ ಠಾಣೆ ಮೊ.ಸಂ:-165/2024 ಕಲಂ-498(ಎ), 323, 504, 506, 354 ರೆ/ಎ 34 ಐಪಿಸಿ ಕಲಂ-3&4 ಡಿಪಿ ಆಕ್ಟ್

ಕ್ರ. ಸಂ:	ದಾಖಲಾತಿಗಳು:	ಪುಟ ಸಂಖ್ಯೆ:
01	ದೋಷಾರೋಪಣಾ ಪಟ್ಟಿಯ ಅಸಲು	1-9
02	ದಕ್ಷಿಣ ಮಹಿಳಾ ಪೊಲೀಸ್ ಠಾಣೆ ಮೊ.ಸಂ-165/2024 ಕಲಂ-498(ಎ), 323, 504, 506, 354 ರೆ/ಎ 34 ಐಪಿಸಿ ಮತ್ತು 3&4 ಡಿಪಿ ಆಕ್ಟ್ ಪ್ರಕರಣದ ಪ್ರಥಮ ವರ್ತಮಾನ ವರದಿ ಮತ್ತು ದೂರಿನ ನಕಲು ಪ್ರತಿಗಳು	10-18
03	ಪಿಯಾದುದಾರರು ತನಗೆ ಫ್ಯಾಮಿಲಿ ಕೌನ್ಸಿಲಿಂಗ್ ಬೇಡವೆಂದು ನೀಡಿದ ಪತ್ರದ ಅಸಲು ಪ್ರತಿ	19
04	ಪ್ರಕರಣದ ಪಿಯಾದುದಾರರಿಗೆ ಕಲಂ:-94 ಬಿ.ಎನ್.ಎಸ್.ಎಸ್. ರೀತ್ಯಾ ಜಾರಿ ಮಾಡಿದ ಪೊಲೀಸ್ ನೋಟೀಸ್-1 ಸ್ವೀಕೃತಿಯ ಅಸಲು	20
05	ಪಂಚಾಯ್ತುದಾರರಿಗೆ ಜಾರಿ ಮಾಡಿರುವ ಪೊಲೀಸ್ ನೋಟೀಸ್‌ನ ಸ್ವೀಕೃತಿಯ ಅಸಲು. ಪಂಚಾಯ್ತುದಾರರ ಆಧಾರ ಕಾರ್ಡ್‌ನ ನಕಲು ಪ್ರತಿ, ಸ್ಥಳ ಪಂಚನಾಮೆ ಅಸಲು, ಮತ್ತು ಕೆ.ಎಸ್.ಪಿ ವಿಜುವಲ್ ಎವಿಡೆನ್ಸ್ ಫ್ಯಾಕ್ಟ್ ಶೀಟ್‌ನ ಅಸಲು ಪ್ರತಿ.	21-27
06	ಪಿಯಾದಿಯು ದಾಖಲಾತಿಗಳನ್ನು ಒದಗಿಸುತ್ತಿರುವ ಪತ್ರದ ಅಸಲು, ಪಿಯಾದಿ ಮತ್ತು ಎ1 ಆರೋಪಿಯ ಮದುವೆ ಆಹ್ವಾನ ಪತ್ರಿಕೆಯ ಅಸಲು ಪ್ರತಿ, ಮತ್ತು ಮದುವೆಯ ಭಾವಚಿತ್ರದ ಅಸಲು, ಮತ್ತು ಆರೋಪಿಗಳಿಗೆ ವರದಕ್ಷಿಣೆ ನೀಡುತ್ತಿರುವ ಭಾವಚಿತ್ರಗಳು ಮತ್ತು ಮ್ಯಾರೇಜ್ ಸರ್ಟಿಫಿಕೇಟ್ ನಕಲು ಪ್ರತಿ.	28-35
07	ಮದುವೆ ಸಮಯದಲ್ಲಿ ಆರೋಪಿಗಳಿಗೆ ವರದಕ್ಷಿಣೆಯಾಗಿ ನೀಡಿದ ಚಿನ್ನಾಭರಣಗಳನ್ನು ಖರೀದಿ ಮಾಡಿರುವ ನಕಲಿ ಬಿಲ್‌ಗಳು ಮತ್ತು ಮದುವೆ ಖರ್ಚು ಮಾಡಿರುವ ಬಗ್ಗೆ ನಕಲು ದಾಖಲಾತಿಗಳು.	36-81
08	ಪಿಯಾದಿಗೆ ಆರೋಪಿಗಳು ಕಿರುಕುಳ ನೀಡಿರುವ ಬಗ್ಗೆ ಆಡಿಯೋ & ವಿಡಿಯೋ ಮತ್ತು ವರದಕ್ಷಿಣೆ ನೀಡುತ್ತಿರುವ ಭಾವಚಿತ್ರಗಳು ಮತ್ತು ಆರೋಪಿಗಳು ಪಿಯಾದಿಗೆ ವಾಟ್‌ಆಫ್ ಮೂಲಕ ಮೆಸೇಜ್ ಮಾಡಿ ಕುರುಕುಳ ನೀಡಿರುವ ಸಾಕ್ಷ್ಯಧಾರಗಳು ಇರುವ 16 ಜಿಬಿಯ ಸ್ಯಾನ್ ಡಿಸ್ಕ್ ಪೆನ್‌ಡ್ರೈವ್	82
09	ಪಿಯಾದಿಯು 63 ಬಿ.ಎಸ್.ಎ ಪ್ರಕಾರ ನೀಡಿ ಪ್ರಮಾಣ ಪತ್ರದ ಅಸಲು ಮತ್ತು ಪಿಯಾದುದಾರರ ನೀಡಿದ ಮರು ಹೇಳಿಕೆಯ ಅಸಲು ಪ್ರತಿಗಳು.	83-84
10	ಸಾಕ್ಷಿದಾರರಾದ ಶ್ರೀ ಜಿನೇಂದ್ರ ಕುಮಾರ್ ಜೈನ್ ರವರಿಗೆ ಕಲಂ:179 ಬಿ.ಎನ್.ಎಸ್.ಎಸ್. ರೀತ್ಯಾ ಜಾರಿ ಮಾಡಿದ ಪೊಲೀಸ್ ನೋಟೀಸ್‌ನ	85-89



	ಸ್ವೀಕೃತಿಯ ಅಸಲು, ಮತ್ತು ಅವರ ಹೇಳಿಕೆ ಅಸಲು ಪ್ರತಿ, ಹಾಗೂ ಪ್ರಾಸಿಕ್ಯೂಷನ್ ಬಾಂಡ್, ಆಧಾರ್ ಕಾರ್ಡ್ ನಕಲು.	
11	ಸಾಕ್ಷಿದಾರರಾದ ಶ್ರೀ ಪಿಯುಶ್ ರಾಜೋಡ್ ರವರಿಗೆ ಕಲಂ:179 ಬಿ.ಎನ್.ಎಸ್.ಎಸ್. ರೀತ್ಯಾ ಜಾರಿ ಮಾಡಿದ ಪೊಲೀಸ್ ನೋಟೀಸ್‌ನ ಸ್ವೀಕೃತಿಯ ಅಸಲು, ಮತ್ತು ಅವರ ಹೇಳಿಕೆ ಅಸಲು ಪ್ರತಿ, ಹಾಗೂ ಪ್ರಾಸಿಕ್ಯೂಷನ್ ಬಾಂಡ್, ಆಧಾರ್ ಕಾರ್ಡ್ ನಕಲು.	90-94
12	ಸಾಕ್ಷಿದಾರರಾದ ಶ್ರೀ ಎಸ್. ರಾಜೇಶ್ ಜೈನ್ ರವರಿಗೆ ಕಲಂ:179 ಬಿ.ಎನ್.ಎಸ್.ಎಸ್. ರೀತ್ಯಾ ಜಾರಿ ಮಾಡಿದ ಪೊಲೀಸ್ ನೋಟೀಸ್‌ನ ಸ್ವೀಕೃತಿಯ ಅಸಲು, ಮತ್ತು ಅವರ ಹೇಳಿಕೆ ಅಸಲು ಪ್ರತಿ, ಹಾಗೂ ಪ್ರಾಸಿಕ್ಯೂಷನ್ ಬಾಂಡ್, ಆಧಾರ್ ಕಾರ್ಡ್ ನಕಲು.	95-98
13	ಸಾಕ್ಷಿದಾರರಾದ ಶ್ರೀ ಎ.ಸಿ.ವರುಣ ರವರಿಗೆ ಕಲಂ:179 ಬಿ.ಎನ್.ಎಸ್.ಎಸ್. ರೀತ್ಯಾ ಜಾರಿ ಮಾಡಿದ ಪೊಲೀಸ್ ನೋಟೀಸ್‌ನ ಸ್ವೀಕೃತಿಯ ಅಸಲು, ಮತ್ತು ಅವರ ಹೇಳಿಕೆ ಅಸಲು ಪ್ರತಿ, ಹಾಗೂ ಪ್ರಾಸಿಕ್ಯೂಷನ್ ಬಾಂಡ್, ಆಧಾರ್ ಕಾರ್ಡ್ ನಕಲು.	99-102
14	ಸಾಕ್ಷಿದಾರರಾದ ಶ್ರೀಮತಿ ಸಪನಾ ಅಜಯ್ ಪರ್ಮಾರ್ ರವರಿಗೆ ಕಲಂ:179 ಬಿ.ಎನ್.ಎಸ್.ಎಸ್. ರೀತ್ಯಾ ಜಾರಿ ಮಾಡಿದ ಪೊಲೀಸ್ ನೋಟೀಸ್‌ನ ಸ್ವೀಕೃತಿಯ ಅಸಲು, ಮತ್ತು ಅವರ ಹೇಳಿಕೆ ಅಸಲು ಪ್ರತಿ, ಹಾಗೂ ಪ್ರಾಸಿಕ್ಯೂಷನ್ ಬಾಂಡ್, ಆಧಾರ್ ಕಾರ್ಡ್ ನಕಲು.	103-106
15	ಪ್ರಕರಣದ ಎ1 ಆರೋಪಿಗೆ ಈ-ಮೇಲ್ ಮೂಲಕ ಮತ್ತು ಎ2 ಯಿಂದ ಎ12 ವರೆಗಿನ ಆರೋಪಿಗಳಿಗೆ ನೊಂದಾಯಿತ ಅಂಚೆಯ ಮೂಲಕ ಕಲಂ-35(3) ಬಿ.ಎನ್.ಎಸ್.ಎಸ್. ರೀತ್ಯಾ ಜಾರಿ ಮಾಡಿರುವ ಒಟ್ಟು 03 ಪೊಲೀಸ್ ನೋಟೀಸ್‌ನ ಸ್ವೀಕೃತಿಯ ಪ್ರತಿಗಳು.	107-115
16	ಪ್ರಕರಣದ ಎ2 ಯಿಂದ ಎ12 ವರೆಗಿನ ಆರೋಪಿಗಳು ಮಾನ್ಯ ಸಿಸಿಹೆಚ್-72ನೇ ನ್ಯಾಯಾಲಯದಲ್ಲಿ ನಿರೀಕ್ಷಣಾ ಜಾಮಿನನ್ನು ಪಡೆದಿರುವ ಆದೇಶದ ದೃಢೀಕೃತ ಪ್ರತಿ.	116-125
17	ಪ್ರಕರಣದ ಎ2 ಯಿಂದ ಎ12 ವರೆಗಿನ ಆರೋಪಿಗಳ ಆಧಾರ್ ಕಾರ್ಡ್ ನಕಲು ಪ್ರತಿಗಳು.	126-136
18	ಪ್ರಕರಣದ ಎ2 ಯಿಂದ ಎ12 ವರೆಗಿನ ಆರೋಪಿಗಳ ತಾಣಾ ಬಂದಪತ್ರದ ಅಸಲು ಪ್ರತಿಗಳು.	137-147
19	ಎ1 ಮತ್ತು ಸಾಕ್ಷಿ-01 ರವರುಗಳ ವಾಟ್ಸ್‌ಆಫ್ ಚಾಟ್‌ನ ನಕಲು	148-192
20	ಎ4 ಮತ್ತು ಸಾಕ್ಷಿ-01 ರವರುಗಳ ವಾಟ್ಸ್‌ಆಫ್ ಚಾಟ್‌ನ ನಕಲು	193-201
21	ಎ1 ಮತ್ತು ಸಾಕ್ಷಿ-02 ರವರುಗಳ ವಾಟ್ಸ್‌ಆಫ್ ಚಾಟ್‌ನ ನಕಲು	202-211

ಕೇಸಿನ ಸಂಕ್ಷಿಪ್ತ ಸಾರಾಂಶ

ಕಲಂ ನಂ.12ರಲ್ಲಿ ನಮೂದಿಸಿರುವ ಎ1 ಆರೋಪಿಯು ಕಲಂ ನಂ.14ರಲ್ಲಿ ನಮೂದಿಸಿರುವ ಸಾಕ್ಷಿ-1 ರವರನ್ನು ದಿನಾಂಕ: 02/05/2023 ರಂದು ಬೆಂಗಳೂರಿನ ಗೊಲ್ಡನ್ ಫಾಲ್ಟ್ಸ್ ಎಂಬ ರೆಸಾರ್ಟ್‌ನಲ್ಲಿ ಮದುವೆ ಮಾಡಿಕೊಂಡಿದ್ದು, ಮದುವೆ



ಮಾತುಕತೆಯ ಸಮಯದಲ್ಲಿ ಎ1 ರಿಂದ ಎ12 ವರೆಗಿನ ಆರೋಪಿಗಳು ವರದಕ್ಷಿಣೆಯಾಗಿ 1 ಕೆಜಿ ಚಿನ್ನ, 20 ಕೆಜಿ ಬೆಳ್ಳಿ ಮತ್ತು 10 ಲಕ್ಷ ನಗದು ಹಣ ಮತ್ತು ಮದುವೆ ಗಂಡಿನ ಕುಟುಂಬದ ಎಲ್ಲ ಪುರುಷ ಸದಸ್ಯರಿಗೆ ಚಿನ್ನದ ಸರ ಮತ್ತು ಮದುವೆ ಗಂಡಿನ ಕುಟುಂಬದ ಎಲ್ಲ ಮಹಿಳಾ ಸದಸ್ಯರಿಗೆ ಚಿನ್ನದ ಕಿವಿಯೋಲೆಗಳನ್ನು ನೀಡಬೇಕೆಂದು ಬೇಡಿಕೆ ಇಟ್ಟಿದ್ದು, ಮದುವೆ ನಿಶ್ಚಿತಾರ್ಥ ಸಮಯದಲ್ಲಿ ಸಾಕ್ಷಿ-2ರವರು ಎ1 ಆರೋಪಿಗೆ 2 ಲಕ್ಷ ನಗದು ಹಣ, ಚಿನ್ನದ ಉಂಗುರ, ಚಿನ್ನದ ಚೈನ್, 70 ಗ್ರಾಂ ಚಿನ್ನದ ಬಳೆಗಳು ಮತ್ತು 5 ಕೆಜಿ ಬೆಳ್ಳಿ ವಸ್ತುಗಳು, 50 ಸಾವಿರ ಬೆಲೆಯ ಐ ವಾಚ್ (ಆಪಲ್) ಮತ್ತು 2 ಲಕ್ಷ ಮೌಲ್ಯದ ಬ್ರಾಂಡೆಡ್ ಬಟ್ಟೆಗಳು ಮತ್ತು 30 ಲಕ್ಷ ಬೆಲೆಯ ಇತರೆ ವಸ್ತುಗಳನ್ನು ನೀಡಿದ್ದು, ಮತ್ತು ಮದುವೆ ಸಮಯದಲ್ಲಿ ಎ1 ರಿಂದ ಎ12 ವರೆಗಿನ ಆರೋಪಿಗಳ ವರದಕ್ಷಿಣೆ ಬೇಡಿಕೆಯಂತೆ ಸಾಕ್ಷಿ-2 ರವರು 600 ಗ್ರಾಂ ಚಿನ್ನದ ವಸ್ತುಗಳು, 12 ಕೆಜಿ ಬೆಳ್ಳಿ ವಸ್ತುಗಳು, 5 ಲಕ್ಷ ನಗದು ಹಣ ಮತ್ತು ಗೃಹೋಪಯೋಗಿ ವಸ್ತುಗಳನ್ನು ನೀಡಿ, 2 ಲಕ್ಷ ಬೆಲೆಯ ಸೂಟ್‌ಕೇಸ್ ಸೆಟ್‌ಅನ್ನು ನೀಡಿ ಸುಮಾರು ಒಂದು ಕೋಟಿ ಹಣವನ್ನು ಖರ್ಚು ಮಾಡಿ ಅದ್ದೂರಿಯಾಗಿ ಮದುವೆ ಮಾಡಿಕೊಟ್ಟಿದ್ದು, ದಿನಾಂಕ:03/05/2023 ರಂದು ಎ1 ರಿಂದ ಎ12 ವರೆಗಿನ ಆರೋಪಿಗಳು ನಮಗೆ ಸರಿಯಾಗಿ ವರದಕ್ಷಿಣೆ ನೀಡಿರುವುದಿಲ್ಲವೆಂದು ಸಾಕ್ಷಿ-01 ರವರ ಕುಟುಂಬದ ಸದಸ್ಯರೊಂದಿಗೆ ಗಲಾಟೆ ಮಾಡಿರುತ್ತಾರೆ. ಎ1, ಎ2, ಎ3, ಎ4, ಎ7 ಮತ್ತು ಎ9 ಆರೋಪಿಗಳು ಸಾಕ್ಷಿ-01 ರವರ ತವರು ಮನೆಗೆ ಬಂದಾಗ ಉಳಿದಿರುವ ವರದಕ್ಷಿಣೆಯನ್ನು ಆದಷ್ಟು ಬೇಗ ಕೊಡಬೇಕೆಂದು ಗಲಾಟೆ ಮಾಡಿರುತ್ತಾರೆ. ಸಾಕ್ಷಿ-01 ರವರು ಎ1 ಆರೋಪಿಯೊಂದಿಗೆ ಅಮೇರಿಕಾದಲ್ಲಿ ವಾಸವಾಗಿರುವಾಗ ಸಾಕ್ಷಿ-01 ರವರೊಂದಿಗೆ ಎ1 ಆರೋಪಿಯು ಯಾವುದೇ ದೈಹಿಕ ಸಂಬಂಧವನ್ನು ಹೊಂದದೆ ತಾನು ಸಲಿಂಗಕಾಮಿ ಇರುತ್ತೇನೆಂದು ತಿಳಿಸಿ ಸಾಕ್ಷಿ-01 ರವರಿಗೆ ನೀನು ವೈಶ್ಯೆ ಇದಿಯು ಮತ್ತು ನೀನು ಮೆಂಟಲ್ ಆಗಿದ್ದಿಯಾ ನಿನ್ನ ಬಾಯಿ ಮೊರಿ ತರಹ ವಾಸನೇ ಬರುತ್ತದೆಂದು ಅವಾಚ್ಯವಾಗಿ ನಿಂದನೆ ಮಾಡಿ ಮಾನಸಿಕವಾಗಿ ಕಿರುಕುಳ ನೀಡಿರುತ್ತಾನೆ. ಸಾಕ್ಷಿ-01 ರವರು ಪುಣೆಯ ತನ್ನ ಗಂಡನ ಮನೆಯಲ್ಲಿ ವಾಸವಾಗಿರುವಾಗ ಎ1 ಆರೋಪಿ ಮತ್ತು ಎ2 ಮತ್ತು ಎ6, ಎ7 ಆರೋಪಿಗಳು ಸಾಕ್ಷಿ-01 ರವರಿಗೆ ನೀನು ನಿಮ್ಮ ತವರು ಮನೆಯಿಂದ ಸರಿಯಾಗಿ ವರದಕ್ಷಿಣೆ ತಂದಿರುವುದಿಲ್ಲವೆಂದು ಸಾಕ್ಷಿ-01 ರವರ ಮೇಲೆ ದೈಹಿಕ ಹಲ್ಲೆ ಮಾಡಿ ಜೀವ ಬೆದರಿಕೆ ಹಾಕಿರುತ್ತಾರೆ. ಸಾಕ್ಷಿ-01 ರವರು



ಎ1 ಆರೋಪಿಯೊಂದಿಗೆ ಅಮೇರಿಕಾದಲ್ಲಿರುವಾಗ ಎ4 ಆರೋಪಿಯು ಸಾಕ್ಷಿ-01 ರವರಿಗೆ ಕರೆಮಾಡಿ ಲೈಂಗಿಕತೆಯ ಬಗ್ಗೆ ಮಾತನಾಡಿ ಗರ್ಭಿಣಿ ಆಗುವುದು ಹೇಗೆ ಎಂದು ಹೇಳಿ ಸಾಕ್ಷಿ-01 ರವರ ಮಾನಕ್ಕೆ ಧಕ್ಕೆಯಾಗುವ ರೀತಿಯಲ್ಲಿ ಮಾತನಾಡಿ ವಾಟ್ಸ್ ಆಫ್ ಮೂಲಕ ಮೆಸೇಜ್ ಮಾಡಿರುತ್ತಾನೆ. ಸಾಕ್ಷಿ-01 ರವರು ತನ್ನ ಗಂಡನ ಮನೆ ಪುಣೆಯಲ್ಲಿ ಮತ್ತು ತನ್ನ ತವರು ಬೆಂಗಳೂರಿನಲ್ಲಿರುವಾಗ ಎ4 ಆರೋಪಿಯು ಸಾಕ್ಷಿ-01 ರವರಿಗೆ ಬುದ್ಧಿವಾದ ಹೇಳುವ ನೆಪದಲ್ಲಿ ಸಾಕ್ಷಿ-01 ರವರ ಮೈ ಕೈ ಮುಟ್ಟಿ ಲೈಂಗಿಕ ಕಿರುಕುಳವನ್ನು ನೀಡಿ ಮಾನಸಿಕ ಹಿಂಸೆಯನ್ನು ನೀಡಿರುತ್ತಾನೆ. ಸಾಕ್ಷಿ-01 ಮತ್ತು ಸಾಕ್ಷಿ-02 ರವರು ಆರೋಪಿಗಳ ಮನೆ ಪುಣೆಗೆ ರಾಜಿ ಪಂಚಾಯ್ತಿಗೆ ಹೋದಾಗ ಎ1 ರಿಂದ ಎ12 ವರೆಗಿನ ಆರೋಪಿಗಳು ಇನ್ನುಳಿದ ವರದಕ್ಷಿಣೆಯನ್ನು ನೀಡಿದರೆ ಮಾತ್ರ ಸಾಕ್ಷಿ-01 ರವರಿಗೆ ಎ1 ಆರೋಪಿಯೊಂದಿಗೆ ಜೀವನ ಮಾಡಲು ಬಿಡುತ್ತೇವೆಂದು ತಿಳಿಸಿರುತ್ತಾರೆ. ಎಲ್ಲ ಸಾಕ್ಷಿ ಪುರಾವೆಗಳಿಂದ ಎ1 ರಿಂದ ಎ12 ವರೆಗಿನ ಆರೋಪಿಗಳು ಸಾಕ್ಷಿ-1 ರವರಿಗೆ ಕಿರುಕುಳ ನೀಡಿರುವ ಕಾರಣ ಎ1 ರಿಂದ ಎ12 ವರೆಗಿನ ಆರೋಪಿಯ ವಿರುದ್ಧ ಕಲಂ 498(ಎ), 323, 504, 506, 354 ರೆ/ವಿ 34 ಐಪಿಸಿ ಮತ್ತು ಕಲಂ 3 & 4 ಡಿಪಿ ಆಕ್ಟ್ ಅಡಿಯಲ್ಲಿ ದೋಷಾರೋಪಣೆ ಪಟ್ಟಿಯನ್ನು ಸಿದ್ಧಪಡಿಸಿರುತ್ತದೆ.”

8. ಪಿಯಾರ್ಥಿಯ ಮೇಲೆ ನೋಟೀಸ್ ಜಾರಿ ಮಾಡಲಾಗಿದೆಯೇ : Yes

9. ವೃತ್ತನಿರೀಕ್ಷಕರ / ಮೇಲಧಿಕಾರಿಗಳ ಷರಾ ಮತ್ತು ನ್ಯಾಯಾಧೀಶರಿಗೆ ಕಳುಹಿಸಿದ ದಿನಾಂಕ :  
ಮಾನ್ಯ ನ್ಯಾಯಾಲಯವು ದೋಷಾರೋಪಣೆ ಪಟ್ಟಿಯನ್ನು ಅಂಗೀಕರಿಸಿ ಸಿ.ಸಿ. ನಂಬರ್ ನೀಡಲು ಕೋರಿದೆ.”

10. As stated supra, the petitioner No.1 – accused No.1 is the husband of the complainant, while petitioner Nos.2 and 3 – accused Nos.2 and 3 are his parents. Accused No.4 and accused No.9 are the parents of accused No.2, whose sisters and brothers are accused Nos.5, 8 and 10. So also, while the accused No.6 is the younger brother of accused No.1, accused No.12 is the wife of



accused No.5 and accused No.7 is their son and accused No.11 is the son of husband of accused No.10; in other words, in addition to arraigning her husband, parents-in-law and brother-in-law, the complainant has sought to arraign the remaining family members also for the alleged offences. In this context, a perusal of the charge sheet material comprising of the complaint, FIR, statements of witnesses, documents etc., are sufficient to come to the conclusion that there exists *prima facie* material available in the impugned proceedings on behalf of the prosecution warranting continuation of the said proceedings against the following persons for the offences alleged against them as hereunder;

- (i) Petitioner no.1(A1) – Husband
- (ii) Petitioner No.2 (A2) – Father-in-law
- (iii) Petitioner No.3 (A3) – Mother-in-law
- (iv) Petitioner No.4 (A4) – Father of Petitioner No.2 (A2)
- (v) Petitioner No.5 (A5) – Brother of petitioner No.2 (A2)
- (v) Petitioner No.6 (A6) – Younger brother petitioner No.1 (A1)

11. The material on record also discloses that insofar as the remaining accused persons viz., accused Nos. 7 to 12 are



concerned, even after investigation, the respondents have not been able to place on record any legal or acceptable material so as to establish the commission of the offences by them and in the absence of the same, I am of the considered opinion that in the facts and circumstances obtaining in the instant case, continuation of the impugned proceedings *qua* petitioners 7 to 12 - accused Nos. 7 to 12 would amount to an abuse of process of law warranting interference by this Court in the present petition. However, as stated *supra*, insofar as accused Nos. 1 to 6 are concerned, there exists sufficient material for continuation of the impugned proceedings against them; at any rate, since charges have not been framed by the trial court against these accused persons, it is always open for them to file appropriate applications seeking discharge before the trial court and in the event, they file such discharge applications, the trial court is to be directed to dispose of the same in accordance with law before proceeding further in the matter. Under these circumstances, I am of the view that the challenge to the impugned proceedings by petitioners 1 to 6 cannot be accepted and the present petition insofar as they are concerned, is liable to be rejected by issuing certain directions.



12. Learned Senior counsel for the petitioners and the 2<sup>nd</sup> respondent, party in-person have placed reliance upon several judgments of the Apex Court, this Court and other High Courts in support of their submissions. However, having regard to the facts and circumstances obtaining in the instant case as borne out from the charge sheet material comprising of the compliant, FIR, documents, statement of witnesses etc., I am of the considered opinion that the said judgments which were rendered in the factual matrix of the said cases, would not be applicable to the facts of the case on hand and hence, the said judgments are not elaborately dealt with for the purpose of the present order.

13. In the result, I pass the following:-

**ORDER**

(i) Petition is hereby partly allowed.

(ii) The impugned proceedings in C.C.No.25260/2025 arising out of an FIR in Crime No.165/2025 registered by the 1<sup>st</sup> respondent – Police, pending before the 37<sup>th</sup> Addl.CMM Court, Bangalore, insofar as it relates to petitioner Nos.7 to 12 (A7-A12), are hereby quashed.



(iii) The impugned proceedings insofar as they relate to petitioners 1 to 6 (A1 to A6) are hereby not interfered with in the present order; however, liberty is reserved in favour of these accused persons to file applications seeking discharge, which shall be considered by the trial court in accordance with law and no opinion is expressed on the merits/demerits of the rival contentions.

(iv) The NBW issued by the trial court as against accused Nos.1 to 6 is kept in abeyance till the next date of hearing of the criminal proceedings, which currently stands posted on **18.05.2026**.

**Sd/-  
(S.R.KRISHNA KUMAR)  
JUDGE**

Srl.