

2025 LiveLaw (SC) 149

**IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION
VIKRAM NATH; J., SANDEEP MEHTA; J.**

JANUARY 15, 2025

CRIMINAL APPEAL NO. OF 2025 (ARISING FROM SLP (CRL.) NO.1754/2024)

P.V. KRISHNABHAT & ANR. *versus* THE STATE OF KARNATAKA & ORS.

Penal Code, 1860; Section 498A - Dowry Prohibition Act, 1961; Sections 3 and 4 - Criminal law should not be used as a tool for harassment or vendetta. The allegations in a criminal complaint must be scrutinized with care to ensure that they disclose a prima facie case before subjecting individuals to the rigors of a criminal trial. The cases involving allegations under Section 498-A of the IPC and the DP Act often require a careful and cautious approach to prevent misuse of the law. While the provisions are intended to protect women from cruelty and dowry harassment, they should not be used to settle personal scores or pursue ulterior motives. (Para 16)

Criminal Law - Cruelty and Dowry Harassment - Quashing of Criminal Proceedings - Allegations Lacking Specificity and Evidence - Family Court Findings Relevant – The Supreme Court quashed criminal proceedings initiated under Section 498-A of the Indian Penal Code, 1860, and Sections 3 and 4 of the Dowry Prohibition Act, 1961, against a husband, father-in-law, and mother-in-law. The Court found that the allegations made by the complainant were general, lacked specificity, and were devoid of substantive evidence. Notably, the Family Court had already granted a divorce to the husband on grounds of cruelty by the complainant, finding her allegations of dowry demand and harassment to be baseless and false. The Supreme Court emphasized that criminal law should not be used as a tool for harassment or vendetta, and that criminal proceedings cannot continue in the absence of sufficient evidence to *prima facie* establish the commission of an offense. The continuation of such proceedings would amount to an abuse of the process of law. (Para 13 – 15)

WITH CRIMINAL APPEAL NO.....OF 2025 (ARISING FROM SLP (CRL.) NO.2966/2024)

[Arising out of impugned final judgment and order dated 15-09-2023 in CRP No. 1901/2020 passed by the High Court of Karnataka at Bengaluru]

For Petitioner(s): Mr. Shailesh Madiyal, Sr. Adv. Mr. Mahesh Thakur, AOR Ms. Divija Mahajan, Adv. Mr. Anchit Singla, Adv. Mr. Ranvijay Singh Chandel, Adv. Mrs. Geetanjali Bedi, Adv.

For Respondent(s): Mr. D. L. Chidananda, AOR Mr. Mrigank Prabhakar, AOR Mr. Siddharth Ssahu, Adv.

ORDER

- 1. Leave granted.**
- 2. The appellants in the appeal arising from SLP(Crl) No. 1754 of 2024 are the father-in-law and mother-in-law of the complainant, and the appellant in the appeal arising from SLP(Crl) No. 2966 of 2024 is the husband of the complainant.**
- 3. These appeals arise from criminal proceedings initiated under Section 498-A, 504, 506 of the Indian Penal Code, 1860,¹ Sections 3(1)(r), 3(1)(s) and 3(1)(w) of the**

¹ IPC

Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989,¹ and Sections 3 and 4 of the Dowry Prohibition Act, 1961.² The appellants had approached the High Court seeking quashing of the criminal proceedings initiated against them. The High Court, after evaluating the submissions and materials on record, in its order dated 15.09.2023, partly allowed the petition by quashing proceedings under Sections 504 and 506 of the IPC, and Sections 3(1)(r), 3(1)(s) and 3(1)(w) of the SC/ST Act. However, it refused to quash the criminal proceedings concerning Section 498-A of the IPC and Sections 3 and 4 of the DP Act. Dissatisfied with this outcome, the appellants have now approached this Court, challenging the High Court's refusal to quash these proceedings.

4. Upon the complaint dated 10.02.2019, made by the complainant, FIR in Crime No. 82/2019 was registered against the appellants for the offences under sections 498A, 504, 506 IPC; sections 3 and 4 of DP Act, and 3(1)(r), 3(1)(s) and 3(1)(w) of the SC/ST Act. Chargesheet was filed against all the three appellants and subsequently, the Trial Court vide order dated 20.09.2019 took cognizance in the case and issued process against the appellants.

5. The facts of the case reveal that the complainant had alleged cruelty and harassment at the hands of the appellants. The complainant alleged that at the time of marriage, a swift car, a gold chain of 80 grams, a ring and a bracelet weighing about 50 grams, among other gifts were given and the marriage was performed at an expense of Rs.45,00,000/-. She claimed that she belonged to a scheduled cast, while the husband belonged to the Brahmin caste and that they fell in love with each other and thereafter got married. She further claimed that her father had paid several amounts to the husband for rent, his foreign travels, etc. upon demands made by him. It is also alleged that he was addicted to alcohol and drugs, and used to mentally harass her. Further, the in-laws would also harass her and make caste-based remarks whenever they used to visit them in Bangalore, where the couple was residing.

6. Appellants approached the High Court through Criminal Petition No. 1910/2020 seeking setting aside of the cognizance order dated 20.09.2019 and quashing of the entire proceedings in the Spl.CC No. 1061/2019 arising out of Crime No. 82/2019.

7. The High Court, while considering the petition to quash the criminal proceeding, partly allowed the petition. The Court found that the complaint contained allegations of cruelty and dowry demands, which warranted further examination at trial. It held that the materials on record disclosed sufficient grounds to proceed with the case under these provisions, as the allegations made by the complainant could not be dismissed as entirely baseless at that stage.

8. However, the High Court also noted that the allegations against the father-in-law and mother-in-law were largely general and lacked specificity. Despite this, it chose not to quash the proceedings against them under Section 498-A of the IPC, reasoning that the allegations required further scrutiny at trial. Similarly, the High Court observed that while the husband was alleged to have committed acts of cruelty, the overall relationship dynamics, including their love marriage and initial harmonious years, needed to be assessed during the trial. Thus, the High Court concluded that a *prima facie* case was made out for the continuance of proceedings under Section 498-A of the IPC and sections 3 and 4 of the DP Act.

¹ SC/ST Act

² DP Act

9. We have heard learned counsel for the appellant and the respondent-State. Despite service of notice, no one has put in appearance on behalf of the respondents 2 to 4.

10. Before this Court, the appellants have emphasised that the criminal proceedings against them are baseless and constitute an abuse of the process of law. It is submitted that the father-in-law and mother-in-law of the complainant resided separately from the couple, a fact that was admitted by the complainant herself. This separation, they contend, negated any reasonable possibility of their involvement in the alleged acts of cruelty or dowry demands. Furthermore, they have submitted that the allegations made against them were general and omnibus in nature, lacking any specific instances of misconduct or unlawful demands. The appellants also pointed out that neither the complaint nor the chargesheet contained material evidence that could substantiate the allegations against the parents-in-law.

11. As for the husband, it has been argued that the allegations against him were equally vague and devoid of substantive evidence. It has been argued that the complainant and her husband had a love marriage and enjoyed a harmonious relationship for the first two years of their married life. This, they submit, undermined the complainant's allegations of cruelty and harassment. Further, they submitted that the case has been filed as a counter blast and owing to the failure of the marriage between the parties. Moreover, it was submitted that the absence of any specific evidence in the record that could indicate acts of cruelty or dowry demands on the part of the husband. The appellants contended that the continuation of criminal proceedings against the husband, father-in-law, and mother-in-law in the absence of *prima facie* evidence amounted to harassment and would cause irreparable harm to their reputation and dignity.

12. It has been brought to the notice of this Court, through placing on record additional facts and documents, that Court of II Addl.Principal Judge, Family Court at Mysuru has allowed the divorce petition filed by the appellant-husband, through an order dated 19.08.2023. The Family Court has passed the decree of divorce on the grounds of cruelty. It has been held that the complainant herein has made false allegations regarding the gifting of a car during marriage and extending of financial help by her father for the husband's foreign trips. It has also been observed by the Family Court that from the evidence put before it, it is conclusive that the allegations of the husband being a drug addict and a sex maniac have been made only to take unreasonable advantage in the divorce as well as the criminal proceedings. The Family Court has concluded that the wife (complainant herein) has made several bald and baseless allegations against the husband and thereby treated the husband (appellant-accused herein) with cruelty, and thus granted a decree of divorce on the said grounds.

13. After a thorough consideration of the submissions and the materials placed on record, we find that the allegations against the father-in-law and mother-in-law are indeed general and lacked specificity. The complainant has not provided any concrete details of dowry demands or acts of cruelty attributable to them. The admitted fact of their separate residence further weakens the complainant's case against them. In the absence of *prima facie* evidence to establish their involvement in the alleged offenses, the proceedings against the father-in-law and mother-in-law cannot be sustained.

14. Regarding the husband, it is evident that the allegations against him are similarly vague and unsubstantiated. The complainant has made generalized accusations without furnishing specific instances of misconduct. No specific allegations and neither any material have come on record to show a *prima facie* commission of the alleged offences of cruelty and dowry demand. The couple had a love marriage and experienced a blissful

relationship during the initial years of their marriage, as is admitted on record. This, coupled with the lack of material evidence to support the allegations, leads to the conclusion that no *prima facie* case of cruelty or dowry demand is made out against the husband as well. Criminal proceedings cannot be permitted to continue in the absence of sufficient evidence to *prima facie* establish the commission of an offense.

15. Further, as is evident from the record, the marriage between the parties has been dissolved, with categorical findings regarding cruelty meted out by the complainant against the appellant-husband. The allegations made in the criminal complaint, regarding dowry demand, cruelty, and harassment have all been held to be baseless, false and frivolous. Though, these are separate proceedings, but findings regarding the truth and veracity of such serious allegations, as have been made by the complainant herein, become relevant in order to do justice and avoid misuse of criminal justice system. The Family Court has made categorical findings to hold that the allegations are false and nothing has been produced to or prove any merit in the allegations. Even in the criminal proceedings impugned before us, nothing has come on record to show commission of these alleged acts, even on a *prima facie* analysis. Once it has been held that there is no merit or truthfulness to the allegations made, then criminal proceedings on the very same allegations cannot be allowed to continue and propagate misuse of the criminal justice system.

16. Criminal law should not be used as a tool for harassment or vendetta. The allegations in a criminal complaint must be scrutinized with care to ensure that they disclose a *prima facie* case before subjecting individuals to the rigors of a criminal trial. The cases involving allegations under Section 498-A of the IPC and the DP Act often require a careful and cautious approach to prevent misuse of the law. While the provisions are intended to protect women from cruelty and dowry harassment, they should not be used to settle personal scores or pursue ulterior motives.

17. In the present case, the allegations against the appellants were devoid of merit, manifestly frivolous and fail to disclose a *prima facie* case. The continuation of criminal proceedings in such circumstances would amount to an abuse of the process of law and result in a miscarriage of justice.

18. Accordingly, the appeals are allowed and the criminal proceedings under Section 498-A of the IPC and Sections 3 and 4 of the DP Act against all the appellants are quashed.

19. Pending applications, if any, shall stand disposed of.