

R

Reserved on : 20.02.2026

Pronounced on : 04.06.2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 04TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE M. NAGAPRASANNA

WRIT PETITION No.18828 OF 2025 (GM - RES)

C/W

WRIT PETITION No.31907 OF 2025 (GM - RES)

IN WRIT PETITION No.18828 OF 2025

BETWEEN:

MR. VINAY KUMAR S.,
S/O SIDDIAIAH B.,
AGED ABOUT 35 YEARS
R/AT NO.18, 4TH MAIN ROAD
10TH CROSS, BEHIND KEB OFFICE
ALANAHALLI, MYSURU – 570 028.

(NOW IN JUDICIAL CUSTODY
CENTRAL PRISON, BENGALURU)

... PETITIONER

(BY SRI HASHMATH PASHA, SENIOR ADVOCATE A/W.,
SRI KARIAPPA N. A., ADVOCATE)

AND:

1 . STATE OF KARNATAKA



BY CHANDRA LAYOUT POLICE STATION
BANGALORE CITY

REPRESENTED BY
LEARNED STATE PUBLIC PROSECUTOR
HIGH COURT OF KARNATAKA
BENGALURU – 560 001.

- 2 . CHIEF SUPERINTENDENT
CENTRAL PRISON
PARAPPANAGRAHARA
BENGALURU – 560 001.

REPRESENTED BY LEARNED
STATE PUBLIC PROSECUTOR
HIGH COURT OF KARNATAKA
BENGALURU – 560 001.

- 3 . MR. LINGARAJU L.,
S/O LINGAPPA
AGED ABOUT 59 YEARS
R/AT NO.1067, 16TH CROSS
CHANDRA LAYOUT, I STAGE
BENGALURU – 560 070.

... RESPONDENTS

(BY SRI B.N.JAGADEESHA, ADDL. SPP FOR R1 AND R2;
SRI MANU B. P., ADVOCATE FOR R3)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA READ WITH SECTION 528 OF BNSS, PRAYING TO QUASH THE FIR IN CRIME NO. 164/2025 OF CHANDRA LAYOUT POLICE STATION, BANGALORE CITY AS PER ANNEXURE-A FIR AND ITS FURTHER PROCEEDINGS FOR OFFENCES UNDER SECTIONS 80, 85, 352 AND 3(5) OF BNS, WHICH IS ON THE FILE OF 46TH ADDITIONAL CHIEF METROPOLITAN MAGISTRATE, BANGALORE CITY AS PER ANNEX-B, FURTHER PROCEEDING AS AN ABUSE OF PROCESS OF LAW IN SO FAR AS PETITIONER CONCERN.

IN WRIT PETITION No.31907 OF 2025

BETWEEN:

- 1 . SIDDIAIAH B.,
S/O LATE BORAIHAH
AGED ABOUT 71 YEARS
R/AT NO.18, 4TH MAIN
10TH CROSS, ALANAHALLI BADAVANE
MYSURU – 570 028.
- 2 . PREMA
W/O SIDDIAIAH B.,
AGED ABOUT 52 YEARS
R/AT NO.18, 4TH MAIN
10TH CROSS, ALANAHALLI BADAVANE
MYSURU – 570 028.
- 3 . SANJAY KUMAR S.,
S/O SIDDIAIAH B.,
AGED ABOUT 32 YEARS
R/AT NO.18, 4TH MAIN
10TH CROSS, ALANAHALLI BADAVANE
MYSURU – 570 028.
- 4 . NANJUNDAIAH R.,
LATE RANGAIAH
AGED ABOUT 71 YEARS
R/AT 411, 4TH MAIN, 4TH CROSS
NEAR SHANKARNAG BUS
KAMALANAGAR, MYSURU CITY – 560 079.
- 5 . ARUN KUMAR N.,
S/O NANJUNDAIAH R.,
AGED ABOUT 38 YEARS
R/AT 411, 4TH MAIN, 4TH CROSS
NEAR SHANKARNAG BUS

KAMALANAGAR, MYSURU CITY – 560 079.

... PETITIONERS

(BY SRI HASHMATH PASHA, SENIOR ADVOCATE A/W.,
SRI KARIAPPA N. A., ADVOCATE)

AND:

- 1 . STATE OF KARNATAKA
BY CHANDRA LAYOUT POLICE STATION
BENGALURU CITY.
REPRESENTED BY LEARNED
STATE PUBLIC PROSECUTOR
HIGH COURT OF KARNATAKA
BENGALURU – 560 001.
- 2 . MR. LINGARAJU L.,
S/O LINGAPPA
AGED ABOUT 59 YEARS
R/AT NO-1067, 16TH CROSS
CHANDRA LAYOUT, I STAGE
BENGALURU – 560 070.

... RESPONDENTS

(BY SRI B.N.JAGADEESHA, ADDL. SPP FOR R1 AND R2;
SRI MANU B. P., ADVOCATE FOR R3)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA READ WITH SECTION 528 OF BNSS, PRAYING TO QUASH THE CRIMINAL PROCEEDINGS PENDING IN C.C.NO.21651/2025 ON THE FILE OF HON'BLE VI ADDITIONAL CHIEF JUDICIAL MAGISTRATE, BANGALORE FOR OFFENCES UNDER SECTIONS 80, 85, 352 READ WITH SECTION 3(5) OF BNS INCLUDING THE ORDER OF COGNIZANCE AND ISSUE OF PROCESS DATED 26-6-2025 AS PER ANNEXURE-B1 AND B2 WHICH IS ARISING OUT OF FIR IN CRIME NO.164/2025 OF CHANDRA LAYOUT POLICE STATION, BANGALORE, AS PER ANNEXURE A AS AN ABUSE OF PROCESS OF LAW.

THESE WRIT PETITIONS HAVING BEEN HEARD AND RESERVED FOR ORDERS ON 20.02.2026, COMING ON FOR PRONOUNCEMENT THIS DAY, THE COURT MADE THE FOLLOWING:-

CORAM: **THE HON'BLE MR JUSTICE M.NAGAPRASANNA**

CAV ORDER

These two petitions are preferred by all the accused in C.C. No. 21651 of 2025 registered for offences punishable under Sections 80, 85, 352 and 3(5) of the BNS. Writ Petition No.18828 of 2025 is preferred by the husband/accused No.1 and the companion petition Writ Petition No.31907 of 2025 is preferred by accused Nos. 2 to 6 . It is therefore, they are taken up together and considered by this common order.

2. Heard Sri Hashmath Pasha, learned senior counsel appearing for petitioners along with Sri Kariappa N.A., Sri B. N. Jagadeesha, learned Additional State Public Prosecutor appearing for State and Sri Manu B P, learned counsel appearing for respondent No.3 in both the petitions.

3. Facts in brief, germane, are as follows:

3.1. Before entering upon the marrow of the controversy, it becomes apposite to notice, in brief, the *inter se* relationship between the parties to the *lis*. The deceased was the daughter of the 3rd respondent/de-facto complainant. Accused No.1 was her husband; accused Nos.2 and 3, her father-in-law and mother-in-law respectively; accused No.4, her brother-in-law; and accused Nos.5 and 6, distant relatives of accused Nos.1 to 4. The matrimonial alliance between accused No.1 and the daughter of the complainant was solemnized on 10-11-2024. Barely days after the sacred knot was tied, accused No.1 departed to the United States on 23-11-2024 in pursuit of his avocation, while the bride remained in India, awaiting the commencement of conjugal companionship. Nearly three months thereafter, on 05-02-2025, the daughter of the complainant journeyed to the United States to join her husband. Yet, what ought to have blossomed into the serene companionship of matrimony is alleged to have withered into discord and estrangement. Within scarcely two months of her arrival in the United States, the daughter returned to her parental

home in Bengaluru on 19-04-2025, carrying with her allegations of cruelty at the hands of her husband. Four days thereafter, on 23-04-2025, accused Nos.2 to 6 are stated to have visited the residence of the complainant with the professed object of bringing about reconciliation between the spouses.

3.2. The events that unfolded thereafter took a tragic and irreversible turn. On 24-04-2025, a day after the visit of accused Nos.2 to 6, the daughter of the complainant is alleged to have authored a death note and thereafter extinguished her own life. The sorrowing father, shattered by the untimely demise of his daughter, lodged a complaint, which came to be registered as Crime No.164 of 2025 for the offences afore-noted. Pursuant to the registration of the FIR, the jurisdictional police undertook investigation and ultimately laid a charge sheet against all the accused. The learned jurisdictional Court, upon perusal of the material placed before it, took cognizance and registered the impugned C.C. It is this initiation and continuation of criminal proceedings that has driven the petitioners to the portals of this Court, assailing the registration of C.C. No.21651 of 2025 and the continuance of trial against them.

4.1. The learned senior counsel, Sri Hashmath Pasha, appearing for the petitioners, would vehemently contend that there is no allegation in the complaint or in the charge sheet, which can become the ingredients of Sections 80 and 85 of the BNS/304B and 498A of the earlier regime of IPC. The learned senior counsel submits that there was no demand or acceptance of dowry, either at the time of marriage or before the marriage. There is neither cruelty in connection with the demand of dowry soon before the death of the deceased. Therefore, the said offences cannot be made out. Marital discord between the husband and the wife and the resultant death of the wife cannot become the ingredients under Sections 80 or 85 of the BNS, unless the demand of dowry is attached to it. The FIR does not include the offences under the Dowry Prohibition Act at all. Therefore, the crime or filing of the charge sheet cannot be sustained.

4.2. The learned senior counsel would lay emphasis on the fact that accused Nos.1, 2 and 3 are the members of the family. Accused Nos.4, 5 and 6 are the brother-in-law and distant relatives who only went to the house of the de-facto complaint to bring

about reconciliation between the husband and the wife and were only mute spectators for what has happened therein. He would further contend that there is no live link or proximate cause for the death of the daughter of the complainant. The death note does not implicate any of the accused persons. The learned senior counsel would also contend that just prior to the fateful day, father is said to have rebuked her daughter and alleged that she was characterless, therefore, the commission of suicide by the daughter happens and no blame can be laid against the present accused. Therefore, all these factors must be taken note of and the crime against the husband and the in-laws must be obliterated.

5. During the subsistence of the trial, it transpires that the de-facto complainant and the family members enter into a settlement with the accused and seek to place it before this Court seeking quashment of the proceedings on account of settlement. Since the offence is the one punishable under Section 80 of the BNS/304B of the IPC – dowry death and the death having happened within 5 months of marriage, this Court refused closure of the proceedings on acceptance of the settlement. Therefore, the matter

was heard on its merit. The respondents would leave the decision to the Court, as they have accepted the terms of the settlement arrived at between the parties.

6. The learned Additional State Public Prosecutor Sri B N Jagadeesha would vehemently oppose closure of the proceedings by way of recording of the settlement. It is his submission that the conversations between the deceased with other people would clearly project the cruelty meted out by the husband against the deceased. The proximate cause to the death is when the character of the daughter of the complainant was questioned on 23-04-2025 by accused Nos.2 to 6. The next day, the death has happened after writing a death note. The death note was clear that the husband had put a surveillance on the wife in the United States as to whom she would meet, whom she would talk to and on the basis of those material the deceased is alleged to have had illicit relationship with unknown persons and therefore when her character was questioned, it was the proximate reason for her death. Insofar as the allegation that the father also has instigated the death of the daughter, during the trial if the father has to be drawn as an

accused, the prosecution will do so. That would not mean that the allegations against the present petitioners should be obliterated. Therefore, it is for the petitioners to come out clean in a full blown trial and this Court should not entertain a petition in exercise of its jurisdiction under Section 482 of the Cr.P.C.

7. The learned senior counsel would join issue in contending that the arrest of accused No.1 was illegal and contrary to several judgments of the Apex Court, since grounds of arrest was not furnished to accused no.1. Apart from the said submission, the learned senior counsel would submit that there was no cruelty or harassment meted out on the deceased soon before her death for it to become the ingredients of Section 304B/80 of the BNS .He would again lay emphasize on the fact that accused nos.5 and 6 are not even relatives by blood, marriage or adoption, they are drawn into the web of proceedings without any rhyme or reason.

8. I have given my anxious consideration to the submissions made by the respective learned counsel and have perused the material on record.

9. The aforesaid facts, being matters borne out by the record, do not require prolix reiteration, save and except the skeletal narration necessary for adjudication. The marriage between accused No.1 and the daughter of the complainant was solemnized on 10-11-2024. Accused No.1, who was residing in the United States, returned thereto, shortly after the marriage, while the wife joined him nearly three months later, on 05-02-2025. It is in that distant land, far removed from the protective embrace of her parental home, that the first fissures in the marital bond are alleged to have surfaced. What began as incompatibility is stated to have gradually ripened into incessant discord, with quarrels erupting on a near day-to-day basis between the husband and wife. Unable, as alleged, to withstand the cruelty meted out to her, the deceased returned to Bengaluru on 19-04-2025 and sought refuge in the home of her parents.

10. Four days thereafter, accused Nos.2 to 6 are said to have descended upon the residence of the complainant on 23-04-2025. What ostensibly commenced as an attempt at reconciliation is

alleged to have degenerated into a bitter confrontation. Questions were posed to the deceased as to why she had abandoned the matrimonial home and returned to India. Tempers flared; harsh words were exchanged. It is alleged that accused Nos.2 to 6 departed from the complainant's residence at about 4.00 p.m., leaving in their wake an atmosphere surcharged with humiliation, anguish and emotional devastation. **The record would further reveal that even the complainant-father, overwhelmed by frustration at his daughter's abrupt return after marriage, is alleged to have rebuked her. The cumulative weight of these circumstances is stated to have driven the deceased into the abyss of despair, culminating in the tragic act of suicide on the very next day, i.e., on 24-04-2025.** Before embracing death, the deceased is said to have penned a death note - a document which assumes profound significance in the adjudication of the present proceedings. It reads as follows:

"Hi

Sorry pappa mummy nan inda nimge problem but nijja
heltini nan aur fix adre saku illa nan life nemdhi idre saku
annod ithu bitre yav affair illa

Howdu was talking to many frnds as I was alone.

14

Aura kelidre its ok sleep beda adige yen madthiya antha yella heli aur mane aur athra nan madthaila anthane. Nan yenu kelilla anthare

Ega nodu aur name karlilla antha nu problem.

Q2

I agree nan maduve admele Swalpa dina mathra Contact Madhe adre adake reason aur helid mathu. (1) No emotional got married for dad (2) Ninu bere aun jothe hogthiya if you are in US antha

Yesto Sari illa marthu text madana may not be the way I think antha text madidhe.

Nand problem idhe antha alli hogi aur nam frnds phone keli helthare andmele ilindane yak we will stay in 2 rooms andidu yake nan land ago munche ne seprate room ithidu.

I Cried and went to him but aur nimge aur ammenge yella heli baisudru. Mathe horde bid tara I am low atha mathe yella jagala. Adeke nana nan frnds jothe athu kardu madhe.

Q2

Onde little finger saha touch madilla Aur amma cook together andre asthe hodre nayi thara nodi hogu andru So nanu nimge cooling time bere aur idre ista agallha antha sumne adhe.

Ega yella sullu heli jothege affair anthare.

Nan yest yella think madidhini nan life bagge andre Aure nan ista illa adake aur nan mele baro hage mathe nan jothe bere aur parents jothe bere heli nand tappu andru. Nimge gothu food topics yest sullu helidru antha.

Q3

Aur olleour agine irbeku antha nanng mental torture kottu nane divorce keli antha madidu. Nan muka saha nodala. Kali sink kode nodi mathadodu. Nan alli topic alle aur keli solve madhi adre auru months together yella marthmele

15

bandu parents athra helthare. If he needs to get this fixed nan jothe mathadbeku allva.
Pappa nange yav affair illa. Frnds mathe mathu aste.

Nange yav relationship mele ase illa. Yare bandru nang beda
I need peace aste Olle frnds idare not in

Q3

terms of money or affair just nan helid kelskothare.
Nan atu kardidu nan life ge ast think madidu nan lifege ond
dina preethi illa adre bari kopa. Key kelidake beggarge
yesiyo thara yesdi hogodu. Literaly nan floor inda pick
madkonde

Yavaglu busy busy busy andre nan yen madli.

Q4

Aurag Avre divoce thagoloke ista ilde adeke hege torture
madha aura so that I take divorce
Illa nane hella, illa munde family sariyogatha yella thara.

Nang bekididu affection adana aurne direct agi keldhe
Madhuve hudgi kelod aur husband time and company
aur amma yella force madi nanna horgade karkond hogu
anbeku
aur ammge force madidake nan room share madthare. Nan
jothe take your pic andur aur amman athra selfie anthare.
Yest dina nim athara heli samadhana madkolli heli.

Adake nan frnds athara yella helkothaidhu aste hortu affair
alla.

Q4

Infact sometimes aur mid night hogodu yavaglo mid night
barod nodi aur ex.girlfrnd Andra hudgi ista idhu nanna
madhuve agidake heg madthaidare ankondhe pain iruthe
allva antha sumne adhe.

Aure helidru aur amma nimalli idbedu manege barbeda
andidru antha. Adike he dropped off marrying her.

Nand aurige engagement admele kelde nan mele kopana yak phone message illa antha aur helidru for holidays thumba kelsa antha anda don't worry nan yenidru ansadre helithini antha. So

Q4

Anniversary yella wish madi swalpa busy adre about passport visa ticket antha. Avaga aure 2 days once message madidre nan hagu egu madhe.

Pappa nand adige topic alli yenu tapilla.

Nanagi nane sorry I will change heli anthanu kelidini

Nand ond mistake was talking on phone with frnds and crying

S..... alvala yede frnds jothe math addidini.

Because I didn't have that emotional safety, affection or he was not even seeing my face. Q5

Nijja mane bittu hogthini adre affair illa pappa

Nang madhuve admelle yella baya adakke mistake baya dabbi pack madi late agbiduthe anno baya, yar yen anthare anno baya aur bandre nan hall alli illa andre baithare anno baya

Yesto sari washroom control madkondu amele hogidini

Q5

Madhuve hu andmele nan bari over think madi aur different agi irod rindha yella tension bittu bari aur mathe nan married life thought aste.

Nan savige nane karna."

Upon the tragic demise of the deceased, the complainant-father approached the jurisdictional police, leading to the registration of Crime No.164 of 2025 for the aforesaid offences. Since the genesis of the present proceedings lies in the untimely death of the young bride, the death note authored by her, and the complaint lodged thereafter, it becomes necessary to advert to the complaint in some detail. It reads as follows:

“ರವರಿಗೆ,

ಪೊಲೀಸ್ ಇನ್ಸ್‌ಪೆಕ್ಟರ್
ಚಂದ್ರಾ ಲೇಔಟ್,
ಬೆಂಗಳೂರು ನಗರ ಪೊಲೀಸ್ ಠಾಣೆ

ಇಂದ,
ಲಿಂಗರಾಜು ಎಲ್ S/o ಲಿಂಗಪ್ಪ(ಲೇಟ್)
ವಯಸ್ಸು 59
ನಂಬರ್ 1067, 16 ಕ್ರಾಸ್
ಚಂದ್ರ ಲೇಔಟ್, ಮೊದಲನೇ ಘಟ್ಟ
ಬೆಂಗಳೂರು 560070

Mob: 9620620531

ವಿಷಯ: ನನ್ನ ಮಗಳಾದ ಸೌಮ್ಯಳ ವಯಸ್ಸು 34 ಸಾವಿಗೆ ಕಾರಣರಾದ ಗಂಡ ವಿನಯ್
ಮಾವ ಸಿದ್ದಯ್ಯ ಅತ್ತೆ ಪ್ರೇಮ ಮತ್ತು ಅವರ ಎರಡನೇ ಮಗ ಸಂಜಯ್ ಮತ್ತು
ನಂಜುಂಡಪ್ಪ ಮತ್ತು ಅವರ ಮಗ ಅರುಣ್ ರವರ ವಿರುದ್ಧ ದೂರು

ಮೇಲ್ಕಂಡ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ ಈ ಮೂಲಕ ತಮ್ಮಲ್ಲಿ ತಿಳಿಸುವುದೇನೆಂದರೆ ನಾನು ಈ
ಮೇಲ್ಕಂಡ ವಿಳಾಸದಲ್ಲಿ ನಾನು, ನನ್ನ ಹೆಂಡತಿ ಹಾಗೂ ಇಬ್ಬರು ಹೆಣ್ಣುಮಕ್ಕಳೊಂದಿಗೆ ಖಾಯಂ
ವಾಸವಾಗಿರುತ್ತೇನೆ ನನ್ನ ಮೊದಲ ಮಗಳಿಗೆ ಸುಮಾರು 8 ವರ್ಷಗಳ ಹಿಂದೆ ವಿವಾಹವಾಗಿದ್ದು ಅವರ

ದಾಂಪತ್ಯ ಸುಖವಾಗಿರುತ್ತದೆ ಹೀಗಿರುವಾಗ ನವೆಂಬರ್ ತಿಂಗಳು 2024ರಂದು ನನ್ನ ಎರಡನೇ ಮಗಳಿಗೆ ಮೈಸೂರಿನ ಆಲನಹಳ್ಳಿ ನಿವಾಸಿಯಾದ ವಿನಯ್ ಎಂಬುವರಿಗೆ ವಿವಾಹ ಮಾಡಿಕೊಟ್ಟಿರುತ್ತೇನೆ ತದ ನಂತರ ಮದುವೆ ಆದ ಒಂದೇ ವಾರದಲ್ಲಿ ಮೇಲೆ ತಿಳಿಸಿದ ವಿನಯ್ ರವರು ನನ್ನ ಮಗಳಾದ ಸೌಮ್ಯಳನ್ನು ಇಲ್ಲಿಯೇ ಬಿಟ್ಟು ಅಮೆರಿಕಕ್ಕೆ ಹೋಗಿರುತ್ತಾರೆ ನಂತರ ಸುಮಾರು 2 ತಿಂಗಳು ಕಳೆದ ನಂತರ ನನ್ನ ಮಗಳನ್ನು ಅಮೆರಿಕಕ್ಕೆ ಕರೆಸಿಕೊಂಡಿರುತ್ತಾರೆ ನನ್ನ ಮಗಳು ಅಮೆರಿಕಕ್ಕೆ ಹೋದ ನಂತರ ಅವಳೊಂದಿಗೆ ಸರಿಯಾದ ವರ್ತನೆಯನ್ನು ಮಾಡದೆ ಪ್ರತಿದಿನ ನನ್ನ ಮೃತ ಮಗಳೊಂದಿಗೆ ಯಾವುದೇ ಸಕಾರಣವಿಲ್ಲದಿದ್ದರೂ ಅನಗತ್ಯವಾಗಿ ಜಗಳ ತೆಗೆದು ಪ್ರತಿದಿನ ಮಾನಸಿಕ ಹಾಗೂ ದೈಹಿಕ ಹಿಂಸೆ ನೀಡುತ್ತಿದ್ದನೆಂದು ನನ್ನ ಮಗಳು ಬದುಕಿದ್ದಾಗ ಫೋನಿನ ಮೂಲಕ ತಿಳಿಸಿರುತ್ತಾಳೆ. ಆದಾಗ್ಯೂ ನಾವುಗಳು ಮರ್ಯಾದೆಗೆ ಅಂಜಿ ನನ್ನ ಮಗಳಿಗೆ ಹೊಂದಾಣಿಕೆ ಮಾಡಿಕೊಂಡು ಹೋಗು ಎಂದು ಸಲಹೆ ನೀಡಿರುತ್ತೇನೆ ನಂತರ ಮೇಲೆ ತಿಳಿಸಿದ ವಿನಯ್ ಅವರ ದುರ್ವರ್ತನೆ ಮಿತಿಮೀರಿದ್ದು ನನ್ನ ಮಗಳೊಂದಿಗೆ ಯಾವುದೇ ದೈಹಿಕ ಸಂಪರ್ಕವನ್ನು ಇಟ್ಟುಕೊಂಡಿರುವುದಿಲ್ಲ ಹಾಗೂ ಪ್ರತಿ ದಿವಸ ನೀನು ಬೇರೆಯವರೊಂದಿಗೆ ಅನ್ಯೈತಿಕ ಸಂಬಂಧ ಇಟ್ಟುಕೊಂಡಿದ್ದೀಯ ಎಂದು ಹೇಳಿ ಪ್ರತಿದಿನ ಮಾನಸಿಕ ಹಾಗೂ ದೈಹಿಕ ಕಿರುಕುಳ ಕೊಡುತ್ತಿದ್ದನೆಂದು ನನ್ನ ಮಗಳು ಬದುಕಿದ್ದ ಸಮಯದಲ್ಲಿ ನನಗೆ ತಿಳಿಸಿದಳು ಈ ವಿಚಾರವನ್ನು ನನನ ಮಗಳು ಅವರ ಅತ್ತೆ ಮತ್ತು ಮಾವನಿಗೆ ತಿಳಿಸಿದಾಗ ಅವರು ಸಹ ಮಗನ ಕುಪ್ಪುಕಿನಿಂದ ನೀನು ಬೇರೆಯವರೊಂದಿಗೆ ಅನ್ಯೈತಿಕ ಸಂಬಂಧ ಇಟ್ಟುಕೊಂಡಿದ್ದೀಯಾ ಎಂದು ಹೀಯಾಳಿಸಿ ಅವರು ಸಹ ನನ್ನ ಮಗಳಿಗೆ ಮಾನಸಿಕವಾಗಿ ಹಿಂಸೆಯನ್ನು ನೀಡಿರುತ್ತಾರೆ ಹಾಗೂ ನಿನ್ನಂತವರು ಸಾಯಬೇಕು ಎಂದು ಹಾಕಿದಾಗ ಹೇಳುತ್ತಿದ್ದರು ಎಂದು ನನ್ನ ಮಗಳು ತಿಳಿಸಿರುತ್ತಾಳೆ. ಇದಾದ ನಂತರ ನನ್ನ ಮಗಳು ವಿನಯ್‌ರವರ ಮಾನಸಿಕ ಹಾಗೂ ದೈಹಿಕ ಹಿಂಸೆಯನ್ನು ತಾಳಲಾರದೆ ದಿನಾಂಕ 19. 4. 2025 ರಂದು ವಾಪಸ್ ನಮ್ಮ ಮನೆಗೆ ಬಂದಿದ್ದು ನಂತರ ದಿನಾಂಕ 23.4. 2025 ರಂದು ಏಕಾಏಕಿ ಮೇಲೆ ತಿಳಿಸಿದ ಸಿದ್ಧಪ್ಪ ಪ್ರೇಮ ಅವರ ಕಿರಿಯ ಮಗ ಹಾಗೂ ನಂಜುಂಡಪ್ಪ ಮತ್ತು ನಂಜುಂಡಪ್ಪ ಮತ್ತು ನಂಜುಂಡಪ್ಪನ ಮಗ ಮಧ್ಯಾಹ್ನ 3:00 ಗಂಟೆಯ ಸಮಯದಲ್ಲಿ ನಮ್ಮ ಮನೆಗೆ ಬಂದು ನನ್ನ ಮಗಳೊಂದಿಗೆ ಜೋರಾಗಿ ಜಗಳ ಮಾಡಿ ಅವಾಚ್ಛ ಶಬ್ದಗಳಿಂದ ನಿಂದಿಸಿರುತ್ತಾರೆ ಹಾಗೂ ಮುಂದುವರೆದು ನಿಮ್ಮಿಂದಾಗಿ ನಮ್ಮ ಕುಟುಂಬ ಹಾಗೂ ನನ್ನ ಮಗನ ಜೀವನ ಹಾಳಾಗಿದೆ ಹಾಗೂ ನೀನು ನಡೆತೆಗೆಟ್ಟವಳು ಬೇರೆಯವರೊಂದಿಗೆ ಅಕ್ರಮ ಸಂಬಂಧ ಇಟ್ಟುಕೊಂಡಿದ್ದೀಯ ನಿನ್ನಂತಹವರು ಬದುಕಿರುವುದಕ್ಕಿಂತ ಸಾಯುವುದೇ ಮೇಲು ಹಾಗೂ ನಿನ್ನನ್ನು ನನ್ನ ಮನೆಗೆ ಸೇರಿಸಿಕೊಳ್ಳುವುದಿಲ್ಲ ನೀನು ಸತ್ತರೆ ನಮಗೆ ನೆಮ್ಮದಿ ಎಂದು ನಿಂದಿಸಿರುತ್ತಾರೆ ಆ ಸಮಯದಲ್ಲಿ ನನ್ನ ಮಗಳು ನನ್ನದೇನು ತಪ್ಪಿಲ್ಲ ನಿಮ್ಮ ಮಗನಿಗೆ ಲೈಂಗಿಕ ಜೀವನ ನಡೆಸುವ ಸಾಮರ್ಥ್ಯವಿಲ್ಲ ಅದೊಂದು ತಪ್ಪನ್ನು ಮುಚ್ಚಿಕೊಳ್ಳುವ ಸಲುವಾಗಿ ನನ್ನ ಮೇಲೆ ಈ ಅನ್ಯೈತಿಕ ಸಂಬಂಧ ಎಂಬ ಸುಳ್ಳು ವಿಷಯವನ್ನು ಸೃಷ್ಟಿಸಿರುತ್ತಾರೆ ಈ ಒಂದು ಮೇಲೆ ಹೇಳಿದ ಘಟನೆ ಯಿಂದ ನನ್ನ ಮಗಳು ಮಾನಸಿಕವಾಗಿ ತುಂಬಾ ನೊಂದುಕೊಂಡು ರೂಮಿಗೆ ಹೋಗಿ ಆತ್ಮಹತ್ಯೆ ಮಾಡಿಕೊಂಡಿರುತ್ತಾಳೆ.

ಈ ಮೇಲೆ ತಿಳಿಸಿದ ಆರೋಪಗಳ ಉದ್ದೇಶಪೂರ್ವಕ ಪ್ರಚೋದನೆ ಪ್ರೇರಣೆ ಮತ್ತು ಮಾನಸಿಕ ಹಾಗೂ ದೈಹಿಕ ಹಿಂಸೆಯಿಂದ ನನ್ನ ಮಗಳು ಆತ್ಮಹತ್ಯೆ ಮಾಡಿಕೊಂಡಿರುತ್ತಾಳೆ ಹಾಗೂ ನನ್ನ ಮಗಳ ಸಾವಿಗೆ

ಮೇಲೆ ಹೇಳಿದ ವ್ಯಕ್ತಿಗಳು ನೇರ ಕಾರಣಕರ್ತರಾಗಿರುತ್ತಾರೆ ಆದ್ದರಿಂದ ಅವರ ಮೇಲೆ ಕಠಿಣ ಕಾನೂನು ಕ್ರಮ ಜರುಗಿಸಬೇಕೆಂದು ಕೇಳಿಕೊಳ್ಳುತ್ತೇನೆ.

ಸಹಿ/-

ಇಂತಿ ತಮ್ಮ ವಿಶ್ವಾಸಿ"

The complaint, in essence, narrates allegations of sustained mental and physical cruelty at the hands of accused No.1, coupled with accusations touching upon the chastity and character of the deceased. It is further alleged that when the deceased disclosed these acts of cruelty to her in-laws, rather than receiving solace or support, she was subjected to humiliation and derision, and was allegedly told that "persons like her ought not to live." The complaint also recounts the visit of accused Nos.2 to 6 to the complainant's residence on 23-04-2025, where the deceased is alleged to have been publicly humiliated, accused of illicit relationships, and told that her very existence had ruined the life of accused No.1. According to the complainant, these acts of humiliation and mental cruelty became the immediate precipitating factors that drove the deceased to take the extreme step of ending her life.

11. A careful perusal of the complaint would reveal that the gravamen of the allegations against accused No.1 pertains to physical and mental cruelty, allegedly inflicted upon the deceased during their stay in the United States. The complainant himself admits that, despite such allegations, he had advised his daughter to reconcile and continue the matrimonial relationship, evidently in deference to societal expectations and familial honour. The complaint further alludes to allegations concerning the absence of physical intimacy between accused No.1 and the deceased, and to accusations levelled by accused No.1 imputing illicit relationships to the deceased. It is also alleged that accused Nos.2 to 6 visited the complainant's residence and subjected the deceased to verbal abuse and humiliation, accusing her of destroying the life of accused No.1. These allegations form the fulcrum upon which the prosecution rests.

12. The investigation undertaken by the jurisdictional police, coupled with the statements recorded from various witnesses,

culminated in the filing of a detailed charge sheet against the petitioners. The summary of the charge sheet as obtaining in column No.17 reads as follows:

“17 ಕೇಸಿನ ಸಂಕ್ಷಿಪ್ತ, ಸಾರಾಂಶ

ಈ ದೋಷಾರೋಪಣಾ ಪಟ್ಟಿಯಲ್ಲಿ ನಮೂದಿಸಿರುವ ಸಾಕ್ಷಿ-1 ಪಿಯಾದುದಾರರಾದ ಶ್ರೀ ಲಿಂಗರಾಜು ಎಲ್. ಬಿನ್ ದಿವಂಗತ ಲಿಂಗಪ್ಪ, 59 ವರ್ಷ ರವರು ಬೆಂಗಳೂರು ನಗರ, ಚಂದ್ರಲೇಔಟ್ ಪೊಲೀಸ್ ಠಾಣಾ ವ್ಯಾಪ್ತಿಯ ಚಂದ್ರಲೇಔಟ್ ಮೊದಲನೇ ಘಟ, 16ನೇ ಅಡ್ಡರಸ್ತೆ, ನಂ. 1067 ರ ಸ್ವಂತ ಮನೆಯಲ್ಲಿ ಕುಟುಂಬದೊಂದಿಗೆ ವಾಸಮಾಡಿಕೊಂಡಿರುತ್ತಾರೆ. ನೇಣುಹಾಕಿಕೊಂಡು ಆತ್ಮಹತ್ಯೆ ಮಾಡಿಕೊಂಡಿರುವ ಮೃತ ಸೌಮ್ಯ, 33 ವರ್ಷ ರವರು ಸಾಕ್ಷಿ-1 ರವರ ಎರಡನೇ ಮಗಳಾಗಿರುತ್ತಾರೆ. ಹಾಗೂ ಎ-1 ಆರೋಪಿ ವಿಜಯನ್ ಕುಮಾರ್ ಎಸ್. ರವರ ಪತ್ನಿಯಾಗಿರುತ್ತಾರೆ. ಸಾಕ್ಷಿ ರವರ ಹುಟ್ಟೂರು ಮೈಸೂರು ಜಿಲ್ಲೆ,, ಟಿ. ನರಸೀಪುರ ತಾಲ್ಲೂಕು, ಕಟ್ಟಿಕೊಪ್ಪಲು ಗ್ರಾಮ ಆಗಿರುತ್ತದೆ.

ಎ-1 ಆರೋಪಿ ವಿನಯ್ ಕುಮಾರ್ ಎಸ್ ಬಿನ್ ಬಿ. ಸಿದ್ದಯ್ಯ, 35 ವರ್ಷ, ಎ-2 ಬಿ. ಸಿದ್ದಯ್ಯ ಬಿನ್ ದಿವಂತಹ ಬೋರಯ್ಯ, 72 ವರ್ಷ, ಎ-3 ಪ್ರೇಮಾ ಕೋಂ ಬಿ. ಸಿದ್ದಯ್ಯ, 52 ವರ್ಷ, ಎ-4 ಸಂಜಯ್ ಕುಮಾರ್ ಎಸ್. ಬಿನ್ ಬಿ. ಸಿದ್ದಯ್ಯ, 32 ವರ್ಷ ರವರು ಒಂದೇ ಕುಟುಂಬಸ್ಥರಾಗಿದ್ದು, ಎ-2 ಮತ್ತು ಎ-3 ರವರು ದಂಪತಿಗಳಾಗಿದ್ದು, ಎ-1 ಮತ್ತು ಎ-4 ರವರು ಎ-1-ಎ-2 ದಂಪತಿಗಳ ಮಕ್ಕಳಾಗಿರುತ್ತಾರೆ, ಎ-1 ರಿಂದ ಎ-4 ರವರು ಹಾಲಿ ಮೈಸೂರು ನಗರ, ಆಲನಹಳ್ಳಿ, ಬಡಾವಣೆ, ಕೆ.ಇ.ಬಿ. ಕಚೇರಿ ಹಿಂಭಾಗ, 10ನೇ ಅಡ್ಡರಸ್ತೆ, 4ನೇ ಮುಖ್ಯರಸ್ತೆ, ಮನೆ ನಂ. 18 ರ ಸ್ವಂತ ಮನೆಯಲ್ಲಿ ವಾಸಮಾಡಿಕೊಂಡಿರುತ್ತಾರೆ. ಎ-1 ರಿಂದ ಎ-4 ರವರು ಮೂಲತಃ ಮಂಡ್ಯ ಜಿಲ್ಲೆ, ಮಳವಳ್ಳಿ, ತಾಲ್ಲೂಕು, ಕಿರುಗಾವಲು ಹೋಬಳಿ, ಕಲ್ಲುಣಿ ಅಂಚೆ, ಚಿಕ್ಕಮಾಳಿಗೆ ಕೊಪ್ಪಲು ಆಗಿರುತ್ತದೆ. ಎ 1 ರವರು ಸುಮಾರು ಬಿ.ಇ. ಪದವಿ ವ್ಯಾಸಂಗ ಮುಗಿಸಿಕೊಂಡು, ಸುಮಾರು ಹತ್ತು ವರ್ಷದಿಂದ ಅಮೇರಿಕಾದಲ್ಲಿಯೇ ನೆಲೆಸಿರುತ್ತಾರೆ. ಎ-2 ರವರ ಕಂದಾಯ ಇಲಾಖೆಯಲ್ಲಿ ಗ್ರಾಮಲೆಕ್ಕಿರಾಗಿ ಸೇವೆಸಲ್ಲಿಸಿ ನಿವೃತ್ತರಾಗಿರುತ್ತಾರೆ, ಎ-3 ರವರು ಗೃಹಿಣಿಯಾಗಿರುತ್ತಾರೆ. ಎ-4 ರವರು ಬಿ.ಇ. ಪದವೀದರನಾಗಿರುತ್ತಾರೆ. ಸಾಕ್ಷಿ-1 ರವರ ಹುಟ್ಟೂರು ಮತ್ತು ಆರೋಪಿಗಳ ಉರುಗಳೆರಡೂ ಹತ್ತಿರದ ಉರುಗಳಾಗಿರುತ್ತವೆ.

ಎ-5 ಆರ್. ನಂಜುಂಡಯ್ಯ ಬಿನ್ ದಿವಂಗತ ರಂಗಯ್ಯ, 71 ವರ್ಷ ಮತ್ತು ಎ-6 ಅರುಣ್ ಕುಮಾರ್ ಎನ್. ಬಿನ್ ಆರ್. ನಂಜುಂಡಯ್ಯ, 38 ವರ್ಷ ರವರು ಹಾಲಿ ಬೆಂಗಳೂರು ನಗರ, ಕಲಮಾಲನಗರ, ಶಂಕರ್ನಾಥ್ ಬಸ್ಸ್ಟಾಂಡದ ಹತ್ತಿರ, 4ನೇ ಅಡ್ಡರಸ್ತೆ, 4ನೇ ಮುಖ್ಯರಸ್ತೆ, ನಂ. 411 ರ ಸ್ವಂತ ಮನೆಯಲ್ಲಿ ವಾಸಮಾಡಿಕೊಂಡಿರುತ್ತಾರೆ. ಸದರಿ ಎ-5 ಮತ್ತು ಎ-6 ರವರ ಸ್ವಂತ ಉರು ಕೂಡ ಚಿಕ್ಕಮಾಳಿಗೆ ಕೊಪ್ಪಲು

ಗ್ರಾಮ ಆಗಿರುತ್ತದೆ. ಎ-5 ರವರು ಸದರಿ ಎ-1 ಮತ್ತು ಸೌಮ್ಯರವರ ಎರಡೂ ಕುಟುಂಬಗಳಿಗೆ ಪರಸ್ಪರ ಗಂಡು ಮತ್ತು ಹೆಣ್ಣು ತೋರಿಸಿದ ವ್ಯಕ್ತಿಯಾಗಿದ್ದು, ಎ-1 ರಿಂದ ಎ-4 ರವರ ಸಂಬಂಧಿಕರೂ ಕೂಡ ಆಗಿರುತ್ತಾರೆ. ಎ-5 ರವರು ಬಿಬಿಎಂಪಿಯಲ್ಲಿ ಸೇವೆ ಸಲ್ಲಿಸಿದ್ದು, ನಿವೃತ್ತ ನೌಕರರಾಗಿರುತ್ತಾರೆ. ಎ-6 ರವರು ಎ-5 ರವರ ಮಗನಾಗಿದ್ದು, ಬಿ.ಇ. ಪದವಿ ವ್ಯಾಸಂಗ ಮಾಡಿದ್ದು, ಖಾಸಗಿ ಕಂಪನಿಯಲ್ಲಿ ಕೆಲಸ ಮಾಡುತ್ತಿರುತ್ತಾರೆ.

ಸಾಕ್ಷಿ-16 ವಿನೋದರವರು ಸಾಕ್ಷಿ-1 ರವರ ಪತ್ನಿಯಾಗಿದ್ದು, ಸಾಕ್ಷಿ-17 ಸುಮಾ ರವರು ಸಾಕ್ಷಿ-1 ರವರ ಮೊದಲನೇ ಮಗಳಾಗಿರುತ್ತಾಳೆ, ಸಾಕ್ಷಿ-1 ರವರ ಕುಟುಂಬವು ತಮ್ಮ ಎರಡನೇ ಮಗಳಾದ ಸೌಮ್ಯರವರಿಗೆ ವಿವಾಹ ಮಾಡಲು ಗಂಡು ಹುಡುಕುತ್ತಿರುವಾಗ 2024ನೇ ಮಧ್ಯದಲ್ಲಿ ಎ-5 ಆರೋಪಿಯ ಮೂಲಕ ಎ-1 ರವರ ಕುಟುಂಬ ಸಂಪರ್ಕಕ್ಕೆ ಬಂದಿದ್ದು, ಎ-1 ರಿಂದ ಎ-6 ರವರು ಸಾಕ್ಷಿ-1 ರವರ ಮನೆಗೆ ಬಂದು ಹೋಗಿದ್ದು, ನಂತರ ಪರಸ್ಪರ ಮಾತುಕತೆಯಾಗಿದ್ದು, ಎ-1 ಮತ್ತು ಸೌಮ್ಯರವರ ವಿವಾಹ ಮಾಡಲು ಎರಡೂ ಕುಟುಂಬಗಳು ಒಪ್ಪಿಕೊಂಡಿದ್ದು, ದಿನಾಂಕ:23-08-2024 ರಂದು ಬೆಂಗಳೂರು ನಗರ ನಾಗರಭಾವಿಯಲ್ಲಿರುವ ಸ್ವಾತಿ ಹೊಟೆಲ್ನ ಪಾರ್ಟಿಹಾಲ್ನಲ್ಲಿ ಸ್ವಾಮಿ ಮತ್ತು ಎ-1 ರವರ ವಿವಾಹ ನಿರ್ದೇಶನವಾಗಿರುತ್ತದೆ. ಆ ಸಮಯದಲ್ಲಿ ಎರಡೂ ಕಡೆಯವರು ಗಂಡು ಮತ್ತು ಹೆಣ್ಣಿಗೆ ಪರಸ್ಪರ ಚೆನ್ನದ ಉಂಗುರ ನೀಡಿರುತ್ತಾರೆ. 2024ನೇ ನವೆಂಬರ್ 9 ಮತ್ತು 10ನೇ ತಾರೀಖಿನಂದು ಮೈಸೂರು ನಗರದ ಆಲನಹಳ್ಳಿ ಬಡಾವಣೆಯಲ್ಲಿರುವ ಗೆಲ್ಯಾಕ್ಸಿ ಕಲ್ಯಾಣ ಮಂಟಪದಲ್ಲಿ ಎ-1 ಮತ್ತು ಸೌಮ್ಯರವರ ವಿವಾಹ ನೆರವೇರಿರುತ್ತದೆ. ಸದರಿ ವಿವಾಹದ ಸಮಯದಲ್ಲಿ ಈ ಹಿಂದೆ ಎ-1 ರಿಂದ ಎ-6 ರವರು ಒತ್ತಾಯ ಮಾಡಿದಂತೆ ಸಾಕ್ಷಿ-1 ರವರು ಸೌಮ್ಯರವರಿಗೆ 200 ಗ್ರಾಂ ತೂಕ ಚೆನ್ನಾಭರಣ ಹಾಕಿದ್ದು, ಎ-1 ರವರಿಗೆ 65 ಗ್ರಾಂ ತೂಕದ ಚೆನ್ನಾಭರಣ ಹಾಗೂ 1250 ಗ್ರಾಂ ತೂಕದ ಬೆಳ್ಳಿಯ ವಸ್ತುಗಳನ್ನು ನೀಡಿರುತ್ತಾರೆ. ಹಾಗೂ ಎ-1 ರಿಂದ ಎ-6 ರವರು ವಿವಾಹದ ಮುನ್ನ ಒತ್ತಾಯ ಮಾಡಿದಂತೆ ಬೆಂಗಳೂರಿನಲ್ಲಿ ಅಥವಾ ಮೈಸೂರಿನಲ್ಲಿ ನಿವೇಶನವನ್ನು ವರದಕ್ಷಿಣೆಯಾಗಿ ನೀಡಲು ಸಾಕ್ಷಿ-1 ರವರು ಬಲವಂತವಾಗಿ ಒಪ್ಪಿಕೊಂಡಿರುತ್ತಾರೆ. ಎ-1 ರಿಂದ ಎ-6 ರವರು ಒತ್ತಾಯ ಮಾಡಿದಂತೆ ಮೈಸೂರಿನಲ್ಲಿಯೇ ಅದ್ದೂರಿಯಾಗಿ ವಿವಾಹ ಮಾಡಿಕೊಟ್ಟಿದ್ದು. ಸದರಿ ವಿವಾಹಕ್ಕೆ ಅಂದಾಜು 38 ರಿಂದ 40 ಲಕ್ಷ ವೆಚ್ಚವನ್ನು ಸಾಕ್ಷಿ-1 ರವರು ಮಾಡಿರುತ್ತಾರೆ

ವಿವಾಹವಾದ ನಂತರ ಎ-1 ರವರು ಸುಮಾರು ಸೌಮ್ಯರವರನ್ನು ಬಿಟ್ಟು, ಅಮೇರಿಕಾಗೆ ಹೋಗಿದ್ದು ಸೌಮ್ಯರವರು ತವರು ಮನೆಯಲ್ಲಿರುತ್ತಾರೆ. ನಂತರ 2025ನೇ ಫೆಬ್ರವರಿ 5 ರಂದು ಸೌಮ್ಯಳು ಅಮೇರಿಕಾಗೆ ಹೋಗಿದ್ದು, ಅಮೇರಿಕಾದಲ್ಲಿ ಎ-1 ಮತ್ತು ಸೌಮ್ಯ ಇಬ್ಬರೇ ವಾಸಮಾಡಿಕೊಂಡಿದ್ದು, ಎ-1 ರವರು ಸೌಮ್ಯರವರಿಗೆ ನೀಡಿದ್ದ ಮಾನಸಿಕ ಮತ್ತು ದೈಹಿಕ ಹಿಂಸೆಯಿಂದ ನೊಂದುಕೊಂಡು ದಿನಾಂಕ: 19-04-2025 ರಂದು ಸೌಮ್ಯರವರು ಅಮೇರಿಕಾದಿಂದ ಸಾಕ್ಷಿ-1 ರವರ ಮನೆಗೆ ಬಂದರು. **ನಂತರ ದಿನಾಂಕ: 23-04-2025 ರಂದು ಮದ್ಯಾಹ್ನ ಸುಮಾರು 3.00 ಗಂಟೆಗೆ ಎ-2 ರಿಂದ ಎ-6 ರವರು ಸಾಕ್ಷಿ-1 ರವರ ಮನೆಗೆ ಬಂದಿದ್ದು, ಆ ಸಮಯದಲ್ಲಿ, ಮನೆಯಲ್ಲಿ ಸಾಕ್ಷಿ-16 ಸಾಕ್ಷಿ-17 ಹಾಗೂ ಸೌಮ್ಯರವರು ಇದ್ದರು, ಎ-2 ರಿಂದ ಎ-6 ರವರು ಸೌಮ್ಯರವರೊಂದಿಗೆ ಜಗಳ ಮಾಡಿದ್ದು, ಬೇರೆ ಹುಡುಗರೊಂದಿಗೆ ಸಂಬಂಧವಿಟ್ಟುಕೊಂಡಿದ್ದು, ಎ-1 ರವರೊಂದಿಗೆ ಜೀವನ ಮಾಡುತ್ತಿಲ್ಲ ಎಂದು ಇತ್ಯಾಧಿಯಾಗಿ ನಿಂಧಿಸಿದ್ದು, ಆಗ ಸೌಮ್ಯರವರು ತಾನು ಯಾರೊಂದಿಗೂ ಯಾವುದೇ ಸಂಬಂಧವಿಟ್ಟುಕೊಂಡಿಲ್ಲ, ಎ-1 ರವರೇ ನನ್ನನ್ನು ಹೆಂಡತಿಯಾಗಿ**

ನೋಡಿಕೊಂಡಿಲ್ಲ, ಅವರು ಒಂದು ದಿನವೂ ಕೂಡ ನನ್ನೊಂದಿಗೆ ಒಟ್ಟಿಗೆ ಮಲಗಿರುವುದಿಲ್ಲ, ಅವರಿಗೆ ಪುರುಷತ್ವ ಇದೆಯೇ ಎಂಬುದರ ಸಂಶಯವಿರುತ್ತದೆ, ಅವರ ತಪ್ಪುಗಳನ್ನು ಮತ್ತು ಲೋಪಗಳನ್ನು ಮುಚ್ಚಿಕೊಳ್ಳಲು ಇಲ್ಲಸಲ್ಲದ ತಪ್ಪುಗಳನ್ನು ನನ್ನ ಮೇಲೆ ಆರೋಪ ಮಾಡುತ್ತಿದ್ದೀರೆ ಎಂದು ಇತ್ಯಾದಿಯಾಗಿ ಸೌಮ್ಯರವರು ಹೇಳಿರುತ್ತಾರೆ. ಆ ಸಮಯದಲ್ಲಿ, ಸಾಕ್ಷಿ-1 ರವರೂ ಕೂಡ ಸೌಮ್ಯರವರ ಮೇಲೆ ಕೋಪಗೊಂಡಿದ್ದು, ಎ-2 ರಿಂದ ಎ-6 ರವರು ಸೌಮ್ಯರವರ ಮೇಲೆ ಜಗಳ ಮಾಡಿದ್ದನ್ನು ನೋಡಿ ಸೌಮ್ಯರವರಿಗೆ ಬುದ್ಧಿವಾದ ಹೇಳಿ ಗಂಡನ ಮನೆಯಲ್ಲಿ ಅನುಸರಿಸಿಕೊಂಡು ಹೋಗಬೇಕೆಂದು ಹೇಳಿದ್ದು, ನನ್ನ ಮಗಳು ತಪ್ಪು ಮಾಡಿದ್ದಲ್ಲಿ ನಾನೇ ಆಕೆಯನ್ನು ಮನೆಯಿಂದ ಹೊರಗೆ ಹಾಕುತ್ತೇನೆ, ದೂರು ನೀಡುತ್ತೇನೆ. ನನ್ನ ಮಕ್ಕಳನ್ನು ಸಂಪ್ರದಾಯವಾಗಿ ಶಿಸ್ತುಬದ್ಧವಾಗಿ ಬೆಳೆಸಿದ್ದೇನೆ ಎಂದು ಇತ್ಯಾದಿಯಾಗಿ ಹೇಳಿರುತ್ತಾರೆ.

ದಿನಾಂಕ:24-04-2025 ರಂದು ಸಾಕ್ಷಿ-16 ರವರು ಸೌಮ್ಯರವರು ಮಲಗುವ ಕೊಠಡಿಗೆ ಬೆಳಿಗ್ಗೆ, ಸುಮಾರು 6.30 ಗಂಟೆಗೆ ಹೋಗಿ ನೋಡಲಾಗಿ ಸೌಮ್ಯರವರು ಮಲಗುವ ಮಂಚದ ಮೇಲೆ ಸೀರಿಯಿಂದ ಸೀಲಿಂಗ್ ಫ್ಯಾನ್ ನೇಣುಹಾಕಿಕೊಂಡು ಮೃತಪಟ್ಟಿರುತ್ತಾರೆ. ಸೌಮ್ಯರವರು ನೇಣುಹಾಕಿಕೊಂಡು ಮೃತಪಟ್ಟ ಸ್ಥಳದಲ್ಲಿ ಸಾಕ್ಷಿ-2 ಮತ್ತು 3 ರವರ ಹಾಜರಾತಿಯಲ್ಲಿ ಪಂಚಾಮ ಜರುಗಿಸಿದ್ದು, ಪೊಲೀಸ್ ಅಧಿಕಾರಿಯಾದ ಸಾಕ್ಷಿ-29 ರವರು ಅಪರಾಧ ಸ್ಥಳ ಪರಿಶೀಲನೆ ಅಧಿಕಾರಿಗಳು (ಸೋಕೋ) ಸಂಗ್ರಹಿಸಿಕೊಟ್ಟ ಭೌತಿಕ ವಸ್ತುಗಳಾದ 1) ಡೆತ್ಲೋಟ್, 2) ಪೆನ್, 3)ಮೊಬೈಲ್ ಫೋನ್ ಮತ್ತು 4) ಚಾಕುಗಳನ್ನು ಅಮಾನತ್ತುಪಡಿಸಿಕೊಂಡು ಸ್ವತ್ತುಪಟ್ಟಿ ಸಂಖ್ಯೆ: 80/2025 ರಲ್ಲಿ ಅಮಾನತ್ತುಪಡಿಸಿಕೊಂಡಿರುತ್ತದೆ, ಸಾಕ್ಷಿ-20 ಆದ ವಿಶೇಷ ತಹಶೀಲ್ದಾರ್ ಹಾಗೂ ಸಾಕ್ಷಿ-4 ರಿಂದ 9 ರವರ ಸಮ್ಮುಖದಲ್ಲಿ ವಿಕೋರಿಯಾ ಆಸ್ಪತ್ರೆಯ ಶವಾಗಾರದಲ್ಲಿ ಶವ ತನಿಖೆ ಜರುಗಿಸಿದರು, ಮೃತದೇಹದ ಮೇಲಿರುವ ಗಾಯಗಳ ಬಗ್ಗೆ, ನಮೂದು ಮಾಡಿರುತ್ತದೆ. ಮಹಿಳಾ ಪೊಲೀಸ್ ಅಧಿಕಾರಿಯಾದ ಸಾಕ್ಷಿ-26 ಶ್ರೀಮತಿ ಕಾವ್ಯಾಶ್ರೀ, ಪಿ.ಎಸ್.ಐ. ಹಾಗೂ ತನಿಖಾಧಿಕಾರಿಯಾದ ಸಾಕ್ಷಿ-30 ರವರು ಇದ್ದು ಮೃತ ಸೌಮ್ಯರವರ ಮೃತದೇಹವನ್ನು ವೈದ್ಯರಾದ ಸಾಕ್ಷಿ-21 ರವರಿಂದ ಶವ ಪರೀಕ್ಷೆ ಮಾಡಿಸಿದ್ದು, ವರದಿ ಸಂಖ್ಯೆ: 1196/2025 ಅನ್ನು ಪಡೆದುಕೊಂಡಿದ್ದು, 'DEATH IS DUE TO ASPHYXIA AS A RESULT OF HANGING * ಅಭಿಪ್ರಾಯ ವರದಿ ನೀಡಿರುತ್ತಾರೆ. ಅಲ್ಲದೇ ಮೃತದೇಹದ ಮೇಲೆ 7 ಗಾಯಗಳಿರುವ ಬಗ್ಗೆ ನಮೂದು ಮಾಡಿರುತ್ತದೆ. ವೈದ್ಯರಾದ ಸಾಕ್ಷಿ-21 ರವರು ಮೃತ ಸೌಮ್ಯರವರ ಮೃತದೇಹದ ಮೇಲಿದ್ದ ಬಟ್ಟೆಯನ್ನು ಸಂಗ್ರಹಿಸಿಕೊಟ್ಟಿದ್ದು, ಪೊಲೀಸ್ ಅಧಿಕಾರಿಯಾದ ಸಾಕ್ಷಿ-26 ರವರು ತಂದು ಹಾಜರುಪಡಿಸಿದ್ದು, ಸ್ವತ್ತುಪಟ್ಟಿ ಸಂಖ್ಯೆ:81/2025 ರಲ್ಲಿ ಅಮಾನತ್ತುಪಡಿಸಿಕೊಂಡಿರುತ್ತದೆ. ಸೌಮ್ಯರವರ ಮೃತದೇಹದಿಂದ ವೈದ್ಯರು ಸಂಗ್ರಹಿಸಿಕೊಟ್ಟ ವಿಸ್ತರಾವನ್ನು ಪೊಲೀಸ್ ಅಧಿಕಾರಿಯಾದ ಸಾಕ್ಷಿ-24 ರವರು ತಂದು ಹಾಜರುಪಡಿಸಿದ್ದು, ಸ್ವತ್ತುಪಟ್ಟಿ ಸಂಖ್ಯೆ 83/2025ರಲ್ಲಿ ಅಮಾನತ್ತುಪಡಿಸಿಕೊಂಡಿದ್ದು, ಪೊಲೀಸ್ ಅಧಿಕಾರಿಯಾದ ಸಾಕ್ಷಿ - 23 ರವರ ಮೂಲಕ ಎಫ್.ಎಸ್.ಎಲ್. ತಜ್ಞರಿಗೆ ಕಳುಹಿಸಿದ್ದು, ವರದಿ ಬಂದಿದ್ದು ವರದಿ ಸಂಖ್ಯೆ : FSL/FLMS/TX/1682/2025 ರಲ್ಲಿ 'Residues of Volatile poisons, Ethyl alcohol, Pesticides, Alkaloids, Narcotics, Barbiturates, Benzodiazepine group of drugs and Toxic metal ions were not detected in all the above Stated Articles' ಎಂದು

ಅಭಿಪ್ರಾಯ ವರದಿ ಬಂದಿರುತ್ತದೆ. ಸದರಿ ವರದಿಯನ್ನು ವಿಕೋಪಿಯಾ ಆಸ್ಪತ್ರೆಯ ವೈದ್ಯರಾಢ ಸಾಕ್ಷಿ-21 ರವರಿಗೆ ನೀಡಿ, ಅಂತಿಮ ಸ್ಪಷ್ಟ ಅಭಿಪ್ರಾಯ ವರದಿ ಪಡೆಯಬೇಕಾಗಿರುತ್ತದೆ.

ಮೃತ ಸೌಮ್ಯರವರು ಸಾಯುವ ಮುನ್ನ ಬರೆದಿರುವ ಡೆತ್ನೋಟ್ ಕೈಬರವಣಿಗೆ ಮತ್ತು ಸಹಿಯನ್ನು ತಜ್ಞರಿಗೆ ಕಳುಹಿಸಿ ವರದಿ ಪಡೆಯಲು ಅಗತ್ಯವಿರುವ ಸೌಮ್ಯರವರ ಒಪ್ಪಿತ ಬರವಣಿಗೆ ಮತ್ತು ಸಹಿ ಸಂಗ್ರಹ ಸಂಬಂಧ ಸಾಕ್ಷಿ-1 ರವರಿಂದ ಸೌಮ್ಯರವರ ಬರವಣಿಗೆಯಿರುವ ನೋಟ್ ಪುಸ್ತಕವನ್ನು ಪಂಚರಾಢ ಸಾಕ್ಷಿ-10 ಮತ್ತು 11 ರವರ ಹಾಜರಿಯಲ್ಲಿ ಅಮಾನತ್ತುಪಡಿಸಿಕೊಂಡು ಸ್ವತ್ತುಪಟ್ಟಿ ಸಂಖ್ಯೆ 90/2025 ರಲ್ಲಿ ನಮೂದಿಸಿರುತ್ತದೆ. ಸೌಮ್ಯರವರ ಸಹಿಗಳು ಲಭ್ಯವಿದ್ದು ಅವರ ಎಚ್ ಡಿ ಎಫ್ ಸಿ ಬ್ಯಾಂಕ್ ಖಾತೆ ನಂ. 50100011044948 ಇದನ್ನು ತೆರೆಯಲು ಸಹಿ ಮಾಡಿ ಸಲ್ಲಿಸಿರುವ ಫಾರಂ, ಕೆ.ವೈಸಿ ದಾಖಲೆಗಳ ಅಸಲನ್ನು ಫೋಲಿಸ್ ಅಧಿಕಾರಿಯಾಢ ಸಾಕ್ಷಿ-22 ರವರು ತಂದು ಹಾಜರುಪಡಿಸಿದ್ದು, ಸಾಕ್ಷಿ-6. ಮತ್ತು 10 ರವರ ಹಾಜರಾತಿಯಲ್ಲಿ ಅಮಾನತ್ತುಪಡಿಸಿಕೊಂಡು ಸ್ವತ್ತುಪಟ್ಟಿ ಸಂಖ್ಯೆ: 141/2025 ರಲ್ಲಿ ನಮೂದಿಸಿರುತ್ತದೆ. ಸದರಿ ಡೆತ್ನೋಟ್, ಬರವಣಿಗೆಯಿರುವ ನೋಟ್ ಪುಸ್ತಕ ಮತ್ತು ಸಹಿಗಳಿರುವ ಬ್ಯಾಂಕ್ ಖಾತೆಯ ದಾಖಲೆಗಳನ್ನು ಬರವಣಿಗೆ ತಜ್ಞರಿಗೆ ಕಳುಹಿಸಿ, ವರದಿ ಪಡೆಯುವದು ಬಾಕಿಯಿರುತ್ತದೆ.

ಎ-1 ಆರೋಪಿಯು ದಿನಾಂಕ: 04-06-2025 ರಂದು ಅಮೇರಿಕಾದಿಂದ ಬೆಂಗಳೂರಿನ ಕೆಂಪೇಗೌಡ ಅಂತಾರಾಷ್ಟ್ರೀಯ ವಿಮಾನ ನಿಲ್ದಾಣಕ್ಕೆ ಬಂಧಿದ್ದು, ಎಲ್.ಓ.ಸಿ. ಜಾರಿಯಲ್ಲಿದ್ದ ಆಧಾರದ ಮೇಲೆ ಇಮ್ಮಿಗ್ರೇಷನ್ ಅಧಿಕಾರಿಗಳು ಎ-1 ಆರೋಪಿಯನ್ನು ವಶಕ್ಕೆ ಪಡೆದುಕೊಂಡು, ಸ್ಥಳೀಯ ಫೋಲಿಸರ ವಶಕ್ಕೆ ನೀಡಿದ್ದು, ಫೋಲಿಸ್ ಅಧಿಕಾರಿಯಾಢ ಸಾಕ್ಷಿ-27 ರವರ ಮೂಲಕ ಎ-1 ಆರೋಪಿಯನ್ನು ಕರೆತಂದು, ಪ್ರಾಥಮಿಕ ವಿಚಾರಣೆ ಮಾಡಿದ್ದು, ಅಂದೇ ದಸ್ತಗಿರಿ ಮಾಡಿರುತ್ತದೆ. ಆ ಸಮಯದಲ್ಲಿ ಆರೋಪಿಯ ವಶದಲ್ಲಿದ್ದ ತನಿಖೆಗೆ ಫೂರಕವೆನಿಸಿದ ಆತನು ಅಮೇರಿಕಾದಲ್ಲಿ ಸೌಮ್ಯರವರೊಂದಿಗೆ ಇದ್ದ ಕಾಲದಲ್ಲಿ ಮನೆಯಲ್ಲಿ ಸೌಮ್ಯರವರಿಗೆ ತಿಳಿಯದಂತೆ ರೆಕಾರ್ಡ್ ಮಾಡಿಕೊಂಡಿದ್ದ ಎರಡು ರೆಕಾರ್ಡ್‌ಗಳು, ಪೆನ್ಸೈವ್, ಮೊಬೈಲ್ ಫೋನ್‌ಗಳನ್ನು ಪಂಚಾಯ್ತಿದಾರರಾಢ ಸಾಕ್ಷಿ- 13 ಮತ್ತು 14 ರವರ ಹಾಜರಿಯಲ್ಲಿ ಅಮಾನತ್ತುಪಡಿಸಿಕೊಂಡು ಸ್ವತ್ತುಪಟ್ಟಿ ಸಂಖ್ಯೆ: 121/2025 ರಲ್ಲಿ ನಮೂದಿಸಿರುತ್ತದೆ. ಎ-1 ಆರೋಪಿಯು ಪ್ರಸ್ತುತ ನ್ಯಾಯಾಂಗ ಬಂಧನದಲ್ಲಿರುತ್ತಾರೆ.

ದಿನಾಂಕ:23-04-225 ರಂದು ಎ-2 ರಿಂದ ಎ-6 ರವರು ಸಾಕ್ಷಿ-1 ರವರ ಮನೆಗೆ ಹೋದ ದಿನ, ಆರೋಪಿಗಳು ಎ-1 ರವರೊಂದಿಗೆ ಮೊಬೈಲ್ ಕರೆ ಮೂಲಕ ಮಾತನಾಡಿಕೊಂಡು, ಆತನು ನೀಡಿದ ನಿರ್ದೇಶನದಂತೆ ಸಾಕ್ಷಿ-1 ರವರ ಮನೆಯಲ್ಲಿ ಎ-2 ರಿಂದ ಎ-6 ರವರು ಸಾಕ್ಷಿ-1 ಮತ್ತು ಸೌಮ್ಯರವರೊಂದಿಗೆ ಜಗಳ ಮಾಡಿದ ಅವಧಿಯಲ್ಲಿ ಎ-4 ರವರು ತಮ್ಮ ಮೊಬೈಲ್ ನಲ್ಲಿ ಧ್ವನಿ ಸಂಗ್ರಹ ಮಾಡಿಕೊಂಡಿದ್ದು, ಅದನ್ನು ಒಂದು ಪೆನ್ ಡ್ರೈವ್ ಹಾಕಿಕೊಂಡು, ಮೊಬೈಲ್ ನಲ್ಲಿ, ಡಿಲೀಟ್ ಮಾಡಿರುವುದಾಗಿ ತಿಳಿಸಿದ್ದು, ನಂತರ ಪೆನ್ಸೈವ್ ಮತ್ತು ಮೊಬೈಲ್ ಫೋನ್ ಅನ್ನು ಹಾಜರುಪಡಿಸಿದ್ದು, ಅವುಗಳನ್ನು ಪಂಚರಾಢ ಸಾಕ್ಷಿ-13 ಮತ್ತು 15 ರವರ ಹಾಜರಿಯಲ್ಲಿ ಅಮಾನತ್ತುಪಡಿಸಿಕೊಂಡು ಸ್ವತ್ತುಪಟ್ಟಿ, ಸಂಖ್ಯೆ: 130/2025 ರಲ್ಲಿ, ನಮೂದಿಸಿರುತ್ತದೆ.

ಸ್ವತ್ತುಪಟ್ಟಿ ಸಂಖ್ಯೆ: 80/20205 ರಲ್ಲಿನ ಮೃತ ಸೌಮ್ಯರವರ ಮೊಬೈಲ್ ಫೋನ್ ಅನ್ನು ಪೊಲೀಸ್ ಅಧಿಕಾರಿಯಾದ -28 ರವರ ಮೂಲಕ ಸಿ.ಇ.ಎನ್. ಪೊಲೀಸ್ ಠಾಣೆಗೆ ಕಳುಹಿಸಿದ್ದು, ಮೊಬೈಲ್ ಫೋನ್ ಲಾಕ್ ಆಗಿದ್ದು, ಪಾಸ್‌ವರ್ಡ್ ಗೊತ್ತಿಲ್ಲದ ಕಾರಣ ರಿಟ್ರೀವ್ ಮಾಡಲು ಸಾಧ್ಯವಿಲ್ಲವೆಂದು ವರದಿ ನೀಡಿರುತ್ತಾರೆ. ಸ್ವತ್ತುಪಟ್ಟಿ ಸಂಖ್ಯೆ: 121/2025 ಮತ್ತು 130/2025 ರಲ್ಲಿನ ಎ-1 ಮತ್ತು ಎ-4 ರವರಿಂದ ಅಮಾನತ್ತುಪಡಿಸಿಕೊಂಡ ಮೊಬೈಲ್ ಫೋನ್ಗಳು, ಪೆ ಪೆನ್‌ಸ್ಟ್ರೈವ್ಗಳು ಹಾಗೂ ವಾಯ್ಸ್ ರೆಕಾರ್ಡ್ ಗಳನ್ನು ಸಿಐಡಿ ಸೈಬರ್ ಪೊಲೀಸ್ ಠಾಣೆಗೆ ಸಾಕ್ಷಿ-28 ರವರ ಮೂಲಕ ಸಲ್ಲಿಸಿದ್ದು, ವರದಿ ಬರುವುದು ಬಾಕಿಯಿರುತ್ತದೆ.

ಎ-2 ರಿಂದ ಎ-6 ಆರೋಪಿಗಳು ಘನ ಸಿಸಿಹೆಚ್ ನ್ಯಾಯಾಲಯದಿಂದ ಷರತ್ತು ಬದ್ಧ ನಿರೀಕ್ಷಣಾ ಜಾಮೀನು ಪಡೆದುಕೊಂಡು ಹಾಜರಾಗಿದ್ದು, ಆರೋಪಿಗಳನ್ನು ವಿಚಾರಣೆ ಮಾಡಿದ್ದು, ಸ್ವ ಇಚ್ಛಾ ಹೇಳಿಕೆ ದಾಖಲಿಸಿಕೊಂಡಿರುತ್ತದೆ. ದಿನಾಂಕ:23-04-2025 ರಂದು ಎ-2 ರಿಂದ ಎ-6 ರವರು ಸಾಕ್ಷಿ-1 ರವರ ಮನೆಗೆ ಹೋಗಿದ್ದಾಗ, ಎ-6 ರವರು ಸೌಮ್ಯರವರೊಂದಿಗೆ ಹೆಚ್ಚು ಜಗಳ ಮಾಡಿದ್ದು, ಎ-6 ರವರು ಎ-1 ರವರು ಹೇಳಿದ್ದಾರೆ ಎಂದೇ ಸೌಮ್ಯರವರಿಗೆ ಹಲವು ಪ್ರಶ್ನೆಗಳನ್ನು ಕೇಳಿದ್ದು, ಪರ ಪುರಷನೊಂದಿಗೆ ಹೆಚ್ಚು ಮಾತನಾಡುತ್ತೀಯಾ ಎಂದು ಸೌಮ್ಯರವರನ್ನು ಹೀಯಾಳಿಸುವ ರೀತಿಯಲ್ಲಿ ಅಕ್ರಮ ಸಂಬಂಧವಿಟ್ಟುಕೊಂಡಿರುವ ರೀತಿಯಲ್ಲಿ ಅವಮಾನ ಮಾಡುವ ರೀತಿಯಲ್ಲಿ ಜೋರು ಮಾಡಿ ಕೇಳಿರುವುದು ಕಂಡುಬಂದಿರುತ್ತದೆ. ಸೌಮ್ಯರವರು ಸೌಮ್ಯ ಸ್ವಭಾವದವರಾಗಿದ್ದು, ಯಾರೊಂದಿಗೂ ಹೆಚ್ಚು ಮಾತನಾಡದ ಮೃದು ಸ್ವಭಾವದವರಾಗಿರುವುದು ಸೌಮ್ಯರವರ ಸ್ನೇಹಿತರಾದ ಸಾಕ್ಷಿ-18 ರವರ ವಿಚಾರಣೆಯಿಂದ ತಿಳಿದುಬಂದಿರುತ್ತದೆ. ಸೌಮ್ಯರವರು ಅಮೇರಿಕಾದಲ್ಲಿ ಎ-1 ರವರೊಂದಿಗೆ ಇದ್ದ ಕಾಲದಲ್ಲಿ ಅವರಿಗಾದ ತೊಂದರೆಯ ಬಗ್ಗೆ ಸಾಕ್ಷಿ-18 ರವರೊಂದಿಗೆ ಕರೆಮಾಡಿ ಮಾತನಾಡಿದ್ದು, ವಾಟ್ಸ್ ಅಪ್ ಚಾಟ್ ಕೂಡ ಮಾಡಿರುತ್ತಾರೆ. ಸದರಿ ಚಾಟ್ ಅನ್ನು ಸಾಕ್ಷಿ-18 ರವರು ನೀಡಿದ್ದು, ಅದನ್ನು ಪರಿಶೀಲಿಸಲಾಗಿ, ಸೌಮ್ಯರವರು ಅಮೇರಿಕಾದಲ್ಲಿ, ಎ-1 ರವರೊಂದಿಗೆ ಇದ್ದ ಕಾಲದಲ್ಲಿ ಎ-1 ರವರು ಸೌಮ್ಯರವರನ್ನು ಎಂದಿಗೂ ಒಂದು ಬೆರಳಿನಿಂದಲೂ ಕೂಡ ಮುಟ್ಟಿರುವುದಿಲ್ಲ ಸರಿಯಾಗಿ ಮಾತನಾಡಿಸುತ್ತಿರಲಿಲ್ಲ ಮನೆಯಲ್ಲಿ ಒಬ್ಬಳನ್ನೇ ಬಿಟ್ಟು, ಹೊರಗಡೆಯಿಂದ ಬೀಗ ಹಾಕಿಕೊಂಡು ಹೋಗುತ್ತಿದ್ದರು ಮನೆಗೆ ಬಂದಾಗ ಪ್ರತ್ಯೇಕ ರೂಂನಲ್ಲಿ ಕುಳಿತುಕೊಳ್ಳುತ್ತಿದ್ದರು ಮನೆಯಲ್ಲಿ ಇಬ್ಬರೂ ಬೇರೆ ಬೇರೆ ರೂಂನಲ್ಲಿ, ಮಲಗುತ್ತಿದ್ದು, ಎಂದಿಗೂ ಒಟ್ಟಿಗೆ ಮಲಗಿರುವುದಿಲ್ಲ, ಸರಿಯಾಗಿ ಮಾತನಾಡಿಸುತ್ತಿರಲಿಲ್ಲ ಇಲ್ಲಿ ಇರಲು ಆಗುತ್ತಿಲ್ಲ, ಒಂದು ವೇಳೆ ಇನ್ನು 15 ದಿನಗಳಲ್ಲಿ ನಾನು ಬೆಂಗಳೂರಿಗೆ ಬರದಿದ್ದಲ್ಲಿ, ನನ್ನ ಡೆಡ್ ಬಾಡಿ ಬರುತ್ತದೆ ಎಂದು ಇತ್ಯಾದಿಯಾಗಿ ಇರುತ್ತದೆ. ಅಲ್ಲದೆ ಸೌಮ್ಯರವರು ಅಮೇರಿಕಾದಲ್ಲಿ ತನ್ನ ಗಂಡನೊಂದಿಗೆ ಇದ್ದ ಕಾಲದಲ್ಲಿ, ತನಗಾಗುತ್ತಿದ್ದ ತೊಂದರೆ ಮತ್ತು ಹಿಂಸೆಯ ಬಗ್ಗೆ, ಸಾಕ್ಷಿ-1, 16 ಮತ್ತು 17 ರವರಿಗೆ ಕರೆಮಾಡಿ ಮಾತನಾಡುತ್ತಿದ್ದಾಗ ಹೇಳುತ್ತಿದ್ದರು. ಅಂದರೆ ಸೌಮ್ಯರವರು ಅಮೇರಿಕಾದಲ್ಲಿ ಇದ್ದ ಕಾಲದಲ್ಲಿ ಎ-1 ಈತನು ಎ-2 ರಿಂದ ಎ-6 ರವರೊಂದಿಗೆ ಆಗಾಗ್ಗೆ, ಸಂಪರ್ಕದಲ್ಲಿದ್ದು, ಸೌಮ್ಯರವರಿಗೆ ಮಾನಸಿಕವಾಗಿ ಮತ್ತು ದೈಹಿಕವಾಗಿ ಹಿಂಸೆ ಕೊಟ್ಟಿರುತ್ತಾರೆ. ಅಲ್ಲದೇ ಮೈಸೂರಿನಲ್ಲಿರುವ ಸಾಕ್ಷಿ-1 ರವರ ನಿವೇಶನವನ್ನು ಎ-1 ರವರ ಹೆಸರಿಗೆ ಬರೆದುಕೊಡುವಂತೆ ಸೌಮ್ಯರವರಿಗೆ ಎ-1 ರವರು ಒತ್ತಾಯ ಮಾಡಿದ್ದು, ಇದೆಲ್ಲದರಿಂದ ಹಿಂಸೆ ಅನುಭವಿಸಿದ ಸೌಮ್ಯರವರು ದಿನಾಂಕ: 19-04-2025 ರಂದು ಬೆಂಗಳೂರಿನ ತವರು ಮನೆಗೆ ಬಂದಿದ್ದು, ದಿನಾಂಕ:23-04-2025 ರಂದು ಎ-2 ರಿಂದ ಎ-6

ರವರು ಮನೆಗೆ ಬಂದು ಕೆಟ್ಟದಾಗಿ ಮಾತನಾಡಿ ಜಗಳ ಮಾಡಿದ್ದರಿಂದ ನೊಂದುಕೊಂಡಿದ್ದು, ನೇಣುಹಾಕಿಕೊಂಡು ಆತ್ಮಹತ್ಯೆ ಮಾಡಿಕೊಂಡಿರುತ್ತಾರೆ.

ತನಿಖಾ ಕಾಲದಲ್ಲಿ ಸಂಗ್ರಹಿಸಿರುವ ಸಾಕ್ಷಾದಾರಗಳಿಂದ ಮತ್ತು ವಿಚಾರಣೆಗೊಳಪಡಿಸಿದ ಸಾಕ್ಷಿ-6 ರಿಂದ 9, 12, 16 ರಿಂದ 19 ರವರ ಹೇಳಿಕೆಗಳಿಂದ ಎ-1 ರಿಂದ ಎ-6 ರವರು ಸೌಮ್ಯರವರಿಗೆ ಸೈಟು ಬರೆದುಕೊಡುವಂತೆ ವರದಕ್ಷಿಣೆಗಾಗಿ ಮಾನಸಿಕವಾಗಿ ಮತ್ತು ದೈಹಿಕವಾಗಿ ಹಿಂಸೆ ನೀಡಿದ್ದು, ಕೆಟ್ಟದಾಗಿ ಆಕೆಯನ್ನು ಬೈಯ್ದು, ಅಕ್ರಮ ಸಂಬಂಧವಿದೆಯೆಂದು ಸುಳ್ಳು ಆರೋಪ ಮಾಡಿ ಅವಮಾನಿಸಿದ್ದರಿಂದ ನೊಂದುಕೊಂಡು, ತಾನು ಆಮೇರಿಕಾದಲ್ಲಿ.. ಇದ್ದಲ್ಲಿ ಗಂಡನಿಂದ ಹಿಂಸೆ ಹೆಚ್ಚಾಗಿ, ಸಾಯುವುದಂತು ಖಚಿತವೆಂದು ವಾಪಸ್ಸು ಬೆಂಗಳೂರಿನ ಸಾಕ್ಷಿ-1 ರವರ ತವರು ಮನೆಗೆ ಬಂದಿದ್ದು, ನಂತರವೂ ಕೂಡ ದಿನಾಂಕ:23-04-2025 ರಂದು ಎ-2 ರಿಂದ ಎ-6 ರವರು ಸಾಕ್ಷಿ-1 ರವರ ಮನೆಗೆ ಬಂದು ಸೌಮ್ಯರವರೊಂದಿಗೆ ಜಗಳ ಮಾಡಿದ್ದರಿಂದ ನೊಂದುಕೊಂಡು, ತನ್ನದೇನೂ ತಪ್ಪಿಲ್ಲ, ನಾನು ತಪ್ಪು ಮಾಡಿಲ್ಲವೆಂದು ಯಾರಿಗೂ ತೊಂದರೆ ಕೊಡುವ ಮುಗ್ಧ ಮನಸ್ಸಿನ ಹೆಣ್ಣಾದ ಮದುವೆಯಾಗಿ ಕೇವಲ ಕೆಲವು ದಿನಗಳು ಮಾತ್ರ ಗಂಡನೊಂದಿಗೆ ವಾಸಮಾಡಿಕೊಂಡಿದ್ದು, ತನ್ನ ಗಂಡನು ಪತ್ನಿಯಾಗಿ ಸ್ವೀಕರಿಸದೇ ಎ-2 ರಿಂದ ಎ-6 ರವರೊಂದಿಗೆ ಸೇರಿಕೊಂಡು ಮಾನಸಿಕವಾಗಿ ಮತ್ತು ದೈಹಿಕವಾಗಿ ಹಿಂಸೆ ನೀಡಿದ್ದು, ಇದಲ್ಲದ್ದರಿಂದ ಮಾನಸಿಕವಾಗಿ ನೊಂದುಹೋಗಿದ್ದು, ಡೆತ್ ನೋಟ್ ಬರೆದಿಟ್ಟು ಸೌಮ್ಯರವರು ನೇಣುಹಾಕಿಕೊಂಡು ಆತ್ಮಹತ್ಯೆ ಮಾಡಿಕೊಂಡಿರುವುದು ಕಂಡುಬಂದಿರುತ್ತದೆ. ಆ ಮೇರೆಗೆ ಎ-1 ರಿಂದ ಎ-6 ರವರ ಮೇಲಿನ ಕಲಂ 85, 80, 352 ಸಹವಾಚಕ 3(5) ಬಿ.ಎನ್.ಎಸ್. -2023 ರ ಅಡಿಯಲ್ಲಿ ಆರೋಪವೆಸಗಿರುವುದು ದೃಢಪಟ್ಟಿರುತ್ತದೆ.

ಆದುದರಿಂದ, ಎ-1 ಆರೋಪಿ ವಿನಯ್ ಕುಮಾರ್ ಎಸ್ ಬಿನ್ ಬಿ. ಸಿದ್ದಯ್ಯ, 35 ವರ್ಷ, ಎ-2 ಬಿ. ಸಿದ್ದಯ್ಯ ಬಿನ್ ದಿವಂತಹ ಬೋರಯ್ಯ, 72 ವರ್ಷ, ಎ-3 ಪ್ರೇಮಾ ಕೋಂ ಬಿ. ಸಿದ್ದಯ್ಯ, 52 ವರ್ಷ, ಎ-4 ಸಂಜಯ್ ಕುಮಾರ್ ಎಸ್. ಬಿನ್ ಬಿ. ಸಿದ್ದಯ್ಯ, 32 ವರ್ಷ, ಎ-5 ಆರ್. ನಂಜುಂಡಯ್ಯ, ಬಿನ್ ದಿವಂಗತ ರಂಗಯ್ಯ, 71 ವರ್ಷ ಮತ್ತು ಎ-6 ಅರುಣ್ ಕುಮಾರ್ ಎನ್. ಬಿನ್ ಆರ್. ನಂಜುಂಡಯ್ಯ, 38 ವರ್ಷ ರವರ ವಿರುದ್ಧ ಕಲಂ 85, 80, 352 ಸಹವಾಚಕ 3(5) ಬಿ.ಎನ್.ಎಸ್. -2023 ರ ಅಡಿಯಲ್ಲಿ ದೋಷಾರೋಪಣಾ ಪಟ್ಟಿಯನ್ನು ಘನ ನ್ಯಾಯಾಲಯಕ್ಕೆ ನಿವೇದಿಸಿಕೊಂಡಿರುತ್ತದೆ.

ನಿವೇದನೆ,

ಪ್ರಕರಣದಲ್ಲಿ ಈ ಮುಂದೆ ನಮೂದಿಸಿರಬಹುದಾದ ಕ್ರಮಗಳಿಗಾಗಿ ಕಲಂ 193(9) ಬಿ.ಎನ್.ಎಸ್.ಎಸ್. -2023 ರಡಿಯಲ್ಲಿ ತನಿಖೆ ಮುಂದುವರೆಸಿ ವರದಿ ಸಲ್ಲಿಸಲು ಅನುಮತಿಗಾಗಿ ನಿವೇದಿಸಿಕೊಂಡಿರುತ್ತದೆ.

1) ಸ್ವತ್ತುಪಟ್ಟಿ ಸಂಖ್ಯೆ: 80/20205 ರಲ್ಲಿನ ಮೊಬೈಲ್ ಫೋನ್ ರಿಟ್ರೀವ್ ಆಗದೇಯಿದ್ದು, ಸದರಿ ಮೊಬೈಲ್ ಫೋನ್ ಅನ್ನು ಎಫ್.ಎಸ್.ಎಲ್.ಗೆ ಕಳುಹಿಸಿ ರಿಟ್ರೀವ್ ಮತ್ತು ವರದಿ ಪಡೆಯಬೇಕಾಗಿರುತ್ತದೆ.

2) ಸ್ವತ್ತುಪಟ್ಟಿ ಸಂಖ್ಯೆ: 121/2025 ಮತ್ತು 130/2025 ರಲ್ಲಿನ ಮೊಬೈಲ್ ಫೋನ್ ಗಳು, ಪೆನ್‌ಡ್ರಿವ್‌ಗಳು ಹಾಗೂ ವಾಲ್ಸ್ ರೆಕಾರ್ಡ್‌ಗಳನ್ನು ಸೈಬರ್ ಪೊಲೀಸ್ ಠಾಣೆಗೆ ರಿಟ್ರೀವ್ /ಡಾಟಾ ಎಕ್ಸ್ಟ್ರಾಕ್ಟ್ ಗೆ ನೀಡಿದ್ದು, ವರದಿ ಬರಬೇಕಾಗಿದೆ. ನಂತರ ಎಫ್.ಎಸ್.ಎಲ್.ಗೆ ಕಳುಹಿಸಬೇಕಾಗಿರುತ್ತದೆ.

3) ಸ್ವತ್ತುಪಟ್ಟಿ ಸಂಖ್ಯೆ: 80/2025 ರಲ್ಲಿನ ಡೆತ್ ನೋಟ್, ಸ್ವತ್ತುಪಟ್ಟಿ ಸಂಖ್ಯೆ: 90/2025 ರಲ್ಲಿ ಮೃತೆಯ ಬರವಣಿಗೆಯಿರುವ ನೋಟ್ ಪುಸ್ತಕ ಹಾಗೂ ಸ್ವತ್ತುಪಟ್ಟಿ ಸಂಖ್ಯೆ : 141/2025 ರಲ್ಲಿನ ಸಹಿಗಳನ್ನು ಬರವಣಿಗೆ ತಜ್ಞರಿಗೆ ಕಳುಹಿಸಿ ವರದಿ ಪಡೆಯಬೇಕಾಗಿರುತ್ತದೆ.

4) ಸ್ವತ್ತುಪಟ್ಟಿ ಸಂಖ್ಯೆ 83/2025 ರಲ್ಲಿನ ವಿಸ್ತಾರವನ್ನು ಎಫ್ ಎಸ್ ಎಲ್ ಗೆ ಕಳುಹಿಸಿದ್ದು, ವರದಿ ಲಭ್ಯವಾಗಿರುತ್ತದೆ, ಸದರಿ ವರದಿಯನ್ನು ವಿಕೋರಿಯಾ ಆಸ್ಪತ್ರೆಯ ವೈದ್ಯರಿಗೆ ಕಳುಹಿಸಿ ಅಂತಿಮ ಅಭಿಪ್ರಾಯ ವರದಿ ಪಡೆಯಬೇಕಾಗಿರುತ್ತದೆ.

5) ಮೃತವರದ ತನಿಖಾ ಕಾಲದಲ್ಲಿ ಲಭ್ಯವಾಗುವ ಇತರ ಸಾಕ್ಷ್ಯಾಧಾರ ಮತ್ತು ಸಾಕ್ಷಿದಾರರ ವಿಚಾರಣೆ ಮಾಡಿ ಮುಂದಿನ ಕ್ರಮ ಕೈಗೊಳ್ಳಬೇಕಾಗಿರುತ್ತದೆ.”

(Emphasis added)

The summary of the charge sheet, as reflected in Column No.17, portrays a narrative of sustained allegations of dowry demands, emotional cruelty, accusations touching upon the deceased's character, and matrimonial discord that allegedly drove the deceased into a state of unbearable mental agony. The charge sheet further adverts to chats, telephonic conversations, witness statements, and the death note itself, all of which, according to the prosecution, constitute material sufficient to proceed against the accused for offences punishable under Sections 80, 85, 352 read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023.

13. The concerned Court, upon perusal of the final report and the accompanying material, has taken cognizance by observing that, the prosecution papers prima facie disclose the ingredients of the aforesaid offences and that sufficient grounds exist to proceed against accused Nos.1 to 6. The said order reads as follows:

"Order

Perused,

The I.O has filed final report against accused no 1 to 6 for the offence punishable u/sec. 80, 85, 352, 3(5) of BNS. Perused the prosecution papers. Materials available on record discloses the ingredients of offence punishable u/sec..80, 85, 352, 3 (5) of BNS. Prima-facie ground to proceed against the accused no 1 to 6.

Hence, by invoking Sec. 210(1) (b) of BNSS., cognizance taken for the offences punishable U/Sec: 80, 85, 352, 3(5) of BNS Register the Criminal Case against accused no 1 to 2 in Register No.III.

SS to Accused no 2 to 6

Call on 30-06-2025."

It is this order of cognizance that is now called in question before this Court. The central issue, therefore, that falls for consideration is, whether the proceedings deserve to be interdicted at the

threshold, on the ground that the allegations do not disclose the ingredients of offences punishable under Sections 80, 85, 352 and 3(5) of the BNS.

14. The learned senior counsel appearing for the petitioners has laid considerable emphasis upon the submission that, in the absence of a specific allegation of dowry demand immediately preceding the death, the offence of dowry death under Section 80 of the BNS cannot be attracted. It is further contended that, since no offence under the Dowry Prohibition Act has been alleged, the invocation of Sections 80 and 85 of the BNS is itself misconceived.

15. The submission, though attractive at first blush, cannot be accepted at this stage of the proceedings. A conjoint reading of the complaint, the death note and the summary of the charge sheet would unmistakably disclose the existence of allegations which require adjudication upon evidence. The material collected during investigation includes several conversations and exchanges of chats between accused No.1 and the deceased, all of which cannot be brushed aside in an exercise under Section 528 of the BNSS. To do

so would amount to this Court embarking upon an impermissible mini-trial while exercising its inherent jurisdiction.

16. The contention that no overt act occurred “soon before the death” also does not commend acceptance at this juncture. The expression “soon before death” is not susceptible to a rigid or straitjacket interpretation. The interpretation of the words ‘soon before death’ need not retain this Court for long or delve deep into the matter.

16.1. A three Judge Bench of the Apex Court in the case of **KANS RAJ v. STATE OF PUNJAB**¹, has held as follows:

“....

15. It is further contended on behalf of the respondents that the statements of the deceased referred to the instances could not be termed to be cruelty or harassment by the husband soon before her death. “Soon before” is a relative term which is required to be considered under specific circumstances of each case and no straitjacket formula can be laid down by fixing any time-limit. **This expression is pregnant with the idea of proximity test. The term “soon before” is not synonymous with the term “immediately before” and is opposite of the expression “soon after” as used and understood in Section 114, Illustration (a) of the Evidence Act. These**

¹ (2000) 5 SCC 207

words would imply that the interval should not be too long between the time of making the statement and the death. It contemplates the reasonable time which, as earlier noticed, has to be understood and determined under the peculiar circumstances of each case. In relation to dowry deaths, the circumstances showing the existence of cruelty or harassment to the deceased are not restricted to a particular instance but normally refer to a course of conduct. Such conduct may be spread over a period of time. **If the cruelty or harassment or demand for dowry is shown to have persisted, it shall be deemed to be "soon before death" if any other intervening circumstance showing the non-existence of such treatment is not brought on record, before such alleged treatment and the date of death. It does not, however, mean that such time can be stretched to any period. Proximate and live link between the effect of cruelty based on dowry demand and the consequential death is required to be proved by the prosecution. The demand of dowry, cruelty or harassment based upon such demand and the date of death should not be too remote in time which, under the circumstances, be treated as having become stale enough."**

16.2. The Apex Court, in a later judgment, in the case of **SURINDER SINGH v. STATE OF HARYANA**² while again dealing with Section 304B of the IPC has held as follows:

"....

15. Section 113-B of the Evidence Act, 1872 states that:

"113-B.Presumption as to dowry death.—
When the question is whether a person has committed

² (2014) 4 SCC 129

the dowry death of a woman and it is shown that soon before her death such woman has been subjected by such person to cruelty or harassment for, or in connection with, any demand for dowry, **the court shall presume that such person had caused the dowry death.**"

16. Section 304-B IPC states that:

"304-B.Dowry death.—(1) Where the death of a woman is caused by any burns or bodily injury or occurs otherwise than under normal circumstances within seven years of her marriage and it is shown that soon before her death she was subjected to cruelty or harassment by her husband or any relative of her husband for, or in connection with, any demand for dowry, such death shall be called 'dowry death', and such husband or relative shall be deemed to have caused her death."

17. Thus, the words "soon before" appear in Section 113-B of the Evidence Act, 1872 and also in Section 304-B IPC. For the presumptions contemplated under these sections to spring into action, it is necessary to show that the cruelty or harassment was caused soon before the death. The interpretation of the words "soon before" is, therefore, important. The question is how "soon before"? This would obviously depend on the facts and circumstances of each case. The cruelty or harassment differs from case to case. It relates to the mindset of people which varies from person to person. Cruelty can be mental or it can be physical. Mental cruelty is also of different shades. It can be verbal or emotional like insulting or ridiculing or humiliating a woman. It can be giving threats of injury to her or her near and dear ones. It can be depriving her of economic resources or essential amenities of life. It can be putting restraints on her movements. It can be not allowing her to talk to the outside world. The list is illustrative and not exhaustive. Physical cruelty could be actual beating or causing pain and harm to the person of a woman. **Every such instance of cruelty and related harassment has a different impact on the mind of a woman. Some instances may be so grave as to have a lasting impact on a woman. Some instances**

which degrade her dignity may remain etched in her memory for a long time. Therefore, "soon before" is a relative term. In matters of emotions we cannot have fixed formulae. The time-lag may differ from case to case. This must be kept in mind while examining each case of dowry death.

18. In this connection we may refer to the judgment of this Court in *Kans Raj v. State of Punjab* [(2000) 5 SCC 207: 2000 SCC (Cri) 935] where this Court considered the term "soon before". The relevant observations are as under: (SCC pp. 222-23, para 15)

"15. ... 'Soon before' is a relative term which is required to be considered under specific circumstances of each case and no straitjacket formula can be laid down by fixing any time-limit. This expression is pregnant with the idea of proximity test. The term 'soon before' is not synonymous with the term 'immediately before' and is opposite of the expression 'soon after' as used and understood in Section 114, Illustration (a) of the Evidence Act. These words would imply that the interval should not be too long between the time of making the statement and the death. It contemplates the reasonable time which, as earlier noticed, has to be understood and determined under the peculiar circumstances of each case. In relation to dowry deaths, the circumstances showing the existence of cruelty or harassment to the deceased are not restricted to a particular instance but normally refer to a course of conduct. Such conduct may be spread over a period of time. If the cruelty or harassment or demand for dowry is shown to have persisted, it shall be deemed to be 'soon before death' if any other intervening circumstance showing the non-existence of such treatment is not brought on record, before such alleged treatment and the date of death. It does not, however, mean that such time can be stretched to any period. Proximate and live link between the effect of cruelty based on dowry demand and the consequential death is required to be proved by the prosecution. The demand of dowry, cruelty or harassment based upon such demand and the date of death should not be too remote in time which, under the circumstances, be treated as having become stale enough."

Thus, there must be a nexus between the demand of dowry, cruelty or harassment, based upon such demand and the date of death. The test of proximity will have to be applied. But, it is not a rigid test. It depends on the facts and circumstances of each case and calls for a pragmatic and sensitive approach of the court within the confines of law.”

16.3. Again the Apex Court in the case of **STATE OF MADHYA PRADESH v. JOGENDRA AND ANOTHER**³ has interpreted the phrase ‘soon before death’ and has held as follows:

“ ”

9. The most fundamental constituent for attracting the provisions of Section 304-B IPC is that the death of the woman must be a dowry death. The ingredients for making out an offence under Section 304-B have been reiterated in several rulings of this Court. Four prerequisites for convicting an accused for the offence punishable under Section 304-B are as follows:

- (i) that the death of a woman must have been caused by burns or bodily injury or occurred otherwise than under normal circumstance;
- (ii) that such a death must have occurred within a period of seven years of her marriage;
- (iii) that the woman must have been subjected to cruelty or harassment at the hands of her husband, soon before her death; and
- (iv) that such a cruelty or harassment must have been for or related to any demand for dowry.

³ (2022) 5 SCC 401

10. As the word "dowry" has been defined in Section 2 of the Dowry Prohibition Act, 1961 (for short "the Dowry Act"), the said provision gains significance and is extracted below:

"2. Definition of "dowry".—In this Act, "dowry" means any property or valuable security given or agreed to be given either directly or indirectly:

- (a) by one party to a marriage to the other party to the marriage; or
- (b) by the parents of either party to a marriage or by any other person, to either party to the marriage or to any other person;

at or before or any time after the marriage in connection with the marriage of the said parties, but does not include dower or mahr in the case of persons to whom the Muslim Personal law (Shariat) applies.

Explanation-I. * * *

Explanation II.—The expression "valuable security" has the same meaning as in Section 30 of the Indian Penal Code (45 of 1860)."

11. In a three-Judge Bench decision of this Court in *Rajinder Singh v. State of Punjab* [*Rajinder Singh v. State of Punjab*, (2015) 6 SCC 477 : (2015) 3 SCC (Cri) 225] , Section 2 of the Dowry Act has been split into six distinct parts for a better understanding of the said provision, which are as follows : (SCC p. 485, para 8)

"8. A perusal of Section 2 shows that this definition can be broken into six distinct parts:

(1) **Dowry must first consist of any property or valuable security— the word "any" is a word of width and would, therefore, include within it property and valuable security of any kind whatsoever.**

(2) Such property or security can be given or even agreed to be given. The actual giving of such property or security is, therefore, not necessary.

(3) Such property or security can be given or agreed to be given either directly or indirectly.

(4) Such giving or agreeing to give can again be not only by one party to a marriage to the other but also by the parents of either party or by any other person to either party to the marriage or to any other person. It will be noticed that this clause again widens the reach of the Act insofar as those guilty of committing the offence of giving or receiving dowry is concerned.

(5) Such giving or agreeing to give can be at any time. It can be at, before, or at any time after the marriage. Thus, it can be many years after a marriage is solemnised.

(6) Such giving or receiving must be in connection with the marriage of the parties. Obviously, the expression "in connection with" would in the context of the social evil sought to be tackled by the Dowry Prohibition Act mean "in relation with" or "relating to".

(emphasis supplied)

12. In the light of the above provision that defines the word "dowry" and takes in its ambit any kind of property or valuable security, in our opinion, the High Court fell into an error by holding that the demand of money for construction of a house cannot be treated as a dowry demand. In Appasaheb case [Appasaheb v. State of Maharashtra, (2007) 9 SCC 721 : (2007) 3 SCC (Cri) 468] referred to in the impugned judgment [Jogendra v. State of M.P., Criminal Appeal No. 48 of 2004, decided on 10-9-2008 (MP)] , this Court had held that a demand for money from the parents of the deceased woman to purchase manure would not fall within the purview of "dowry", thereby strictly interpreting the definition of dowry. This view has, however, not been subscribed to in Rajinder Singh case [Rajinder Singh v. State of Punjab, (2015) 6 SCC 477: (2015) 3 SCC (Cri) 225] wherein it has been held that the said decision as also the one in Vipin Jaiswal v. State of A.P. [Vipin Jaiswal v. State of A.P., (2013) 3 SCC 684 : (2013) 2 SCC (Cri) 15] , do not state the law

correctly. Noting that the aforesaid decisions were distinct from four other decisions of this Court viz. Bachni Devi v. State of Haryana [Bachni Devi v. State of Haryana, (2011) 4 SCC 427 : (2011) 2 SCC (Cri) 280] , Kulwant Singh v. State of Punjab [Kulwant Singh v. State of Punjab, (2013) 4 SCC 177 : (2013) 2 SCC (Cri) 339] , Surinder Singh v. State of Haryana [Surinder Singh v. State of Haryana, (2014) 4 SCC 129 : (2014) 4 SCC (Cri) 769] and Raminder Singh v. State of Punjab [Raminder Singh v. State of Punjab, (2014) 12 SCC 582 : (2014) 5 SCC (Cri) 116] , **the Court opined that keeping in mind the fact that Section 304-B was inserted in IPC to combat the social evil of dowry demand that has reached alarming proportions, it cannot be argued that in case of an ambiguity in the language used in the provision, the same ought to be construed strictly as that would amount to defeating the very object of the provision. In other words, the Court leaned in favour of assigning an expansive meaning to the expression "dowry" and held thus: (Rajinder Singh case [Rajinder Singh v. State of Punjab, (2015) 6 SCC 477: (2015) 3 SCC (Cri) 225] , SCC p. 491, para 20)**

"20. [Ed. : Para 20 corrected vide Official Corrigendum No. F.3/Ed.B.J./16/2015 dated 6-4-2015.] Given that the statute with which we are dealing must be given a fair, pragmatic, and common sense interpretation so as to fulfil the object sought to be achieved by Parliament, we feel that the judgment in Appasaheb case [Appasaheb v. State of Maharashtra, (2007) 9 SCC 721 : (2007) 3 SCC (Cri) 468] followed by the judgment of Vipin Jaiswal [Vipin Jaiswal v. State of A.P., (2013) 3 SCC 684 : (2013) 2 SCC (Cri) 15] do not state the law correctly. **We, therefore, declare that any money or property or valuable security demanded by any of the persons mentioned in Section 2 of the Dowry Prohibition Act, at or before or at any time after the marriage which is reasonably connected to the death of a married woman, would necessarily be in connection with or in relation to the marriage unless, the facts of a given case clearly and unequivocally point otherwise."**

(emphasis supplied)

13. The Latin maxim "Ut res magis valeat quam pereat" i.e. a liberal construction should be put up on written instruments, so as to uphold them, if possible, and carry into effect, the intention of the parties, sums it up. Interpretation of a provision of law that will defeat the very intention of the legislature must be shunned in favour of an interpretation that will promote the object sought to be achieved through the legislation meant to uproot a social evil like dowry demand. In this context, the word "dowry" ought to be ascribed an expansive meaning so as to encompass any demand made on a woman, whether in respect of a property or a valuable security of any nature. When dealing with cases under Section 304-B IPC, a provision legislated to act as a deterrent in the society and curb the heinous crime of dowry demands, the shift in the approach of the courts ought to be from strict to liberal, from constricted to dilated. Any rigid meaning would tend to bring to naught, the real object of the provision. Therefore, a push in the right direction is required to accomplish the task of eradicating this evil which has become deeply entrenched in our society.

14. In the facts of the instant case, we are of the opinion that the trial court has correctly interpreted the demand for money raised by the respondents on the deceased for construction of a house as falling within the definition of the word "dowry". The submission made by the learned counsel for the respondents that the deceased was also a party to such a demand as she had on her own asked her mother and maternal uncle to contribute to the construction of the house, must be understood in the correct perspective. It cannot be lost sight of that the respondents had been constantly tormenting the deceased and asking her to approach her family members for money to build a house and it was only on their persistence and insistence that she was compelled to ask them to contribute some amount for constructing a house. The Court must be sensitive to the social milieu from which the parties hail. The fact that the marriage of the deceased and Respondent 1 was conducted in a community marriage organisation where some couples

would have tied the knot goes to show that the parties were financially not so well off. This position is also borne out from the deposition of PW 1 who had stated that he used to bear the expenses of the couple. Before the marriage of the deceased also, PW 1 had stated that he used to bear her expenses and that of her mother and brother (his sister and nephew) as her father had abandoned them. In this background, the High Court fell in an error in drawing an inference that since the deceased had herself joined her husband and father-in-law, the respondents herein and asked her mother or uncle to contribute money to construct a house, such demand cannot be treated as a "dowry demand". On the contrary, the evidence brought on record shows that the deceased was pressurised to make such a request for money to her mother and uncle. It was not a case of complicity but a case of sheer helplessness faced by the deceased in such adverse circumstances.

15. Now, coming to the second point urged by the learned counsel for the State that the High Court has overlooked the fact that Geeta Bai had been subjected to cruelty/harassment at the hands of the respondents soon before her death, which submission is strictly contested by the learned counsel for the respondents, we may note that the meaning of the expression "soon before her death" has been discussed threadbare in several judgments. In *SurinderSingh* [*Surinder Singh v. State of Haryana*, (2014) 4 SCC 129 : (2014) 4 SCC (Cri) 769], while relying on the provisions of Section 113-B of the Evidence Act, 1872 (for short "the Evidence Act") and Section 304-B IPC, where the words "soon before her death" find mention, the following pertinent observations have been made : (SCC pp. 137-39, paras 17-18)

"17. Thus, the words "soon before" appear in Section 113-B of the Evidence Act, 1872 and also in Section 304-B IPC. For the presumptions contemplated under these sections to spring into action, it is necessary to show that the cruelty or harassment was caused soon before the death. The interpretation of the words "soon before" is, therefore, important. The question is how "soon before"? This would obviously depend on the facts

and circumstances of each case. The cruelty or harassment differs from case to case. It relates to the mindset of people which varies from person to person. Cruelty can be mental or it can be physical. Mental cruelty is also of different shades. It can be verbal or emotional like insulting or ridiculing or humiliating a woman. It can be giving threats of injury to her or her near and dear ones. It can be depriving her of economic resources or essential amenities of life. It can be putting restraints on her movements. It can be not allowing her to talk to the outside world. The list is illustrative and not exhaustive. Physical cruelty could be actual beating or causing pain and harm to the person of a woman. Every such instance of cruelty and related harassment has a different impact on the mind of a woman. Some instances may be so grave as to have a lasting impact on a woman. Some instances which degrade her dignity may remain, etched in her memory for a long time. **Therefore, "soon before" is a relative term. In matters of emotions we cannot have fixed formulae. The time-lag may differ from case to case. This must be kept in mind while examining each case of dowry death.**

18. In this connection we may refer to the judgment of this Court in *Kans Raj v. State of Punjab* [*Kans Raj v. State of Punjab*, (2000) 5 SCC 207: 2000 SCC (Cri) 935] where this Court considered the term "soon before". The relevant observations are as under: (SCC pp. 222-23, para 15)

'15. ... **"Soon before" is a relative term which is required to be considered under specific circumstances of each case and no straitjacket formula can be laid down by fixing any time-limit. This expression is pregnant with the idea of proximity test. The term "soon before" is not synonymous with the term "immediately before" and is opposite of the expression "soon after" as used and understood in Section 114, Illustration (a) of the Evidence Act.** These words would imply that the interval should not be too long between the time of making the statement and the death. It contemplates the reasonable time which, as earlier noticed, has to be understood and determined under the peculiar circumstances of each case. **In relation to dowry**

deaths, the circumstances showing the existence of cruelty or harassment to the deceased are not restricted to a particular instance but normally refer to a course of conduct. Such conduct may be spread over a period of time. If the cruelty or harassment or demand for dowry is shown to have persisted, it shall be deemed to be "soon before death" if any other intervening circumstance showing the non-existence of such treatment is not brought on record, before such alleged treatment and the date of death. It does not, however, mean that such time can be stretched to any period. Proximate and live link between the effect of cruelty based on dowry demand and the consequential death is required to be proved by the prosecution. The demand of dowry, cruelty or harassment based upon such demand and the date of death should not be too remote in time which, under the circumstances, be treated as having become stale enough.'

Thus, there must be a nexus between the demand of dowry, cruelty or harassment, based upon such demand and the date of death. The test of proximity will have to be applied. But, it is not a rigid test. It depends on the facts and circumstances of each case and calls for a pragmatic and sensitive approach of the court within the confines of law."

(emphasis supplied)

16. In *Rajinder Singh* [*Rajinder Singh v. State of Punjab*, (2015) 6 SCC 477 : (2015) 3 SCC (Cri) 225] , falling back on the rulings in *Kans Raj v. State of Punjab* [*Kans Raj v. State of Punjab*, (2000) 5 SCC 207 : 2000 SCC (Cri) 935] , *Dinesh v. State of Haryana* [*Dinesh v. State of Haryana*, (2014) 12 SCC 532 : (2014) 6 SCC (Cri) 839] and *Sher Singh v. State of Haryana* [*Sher Singh v. State of Haryana*, (2015) 3 SCC 724 : (2015) 2 SCC (Cri) 422] , it has been emphasised that "soon before" is not synonymous to "immediately before" and the following observations have been made : (*Rajinder Singh* case [*Rajinder Singh v. State of Punjab*, (2015) 6 SCC 477 : (2015) 3 SCC (Cri) 225] , SCC p. 493, para 24)

"24. We endorse what has been said by these two decisions. Days or months are not what is to be seen. What must be borne in mind is that the word "soon" does not mean "immediate". A fair and pragmatic construction keeping in mind the great social evil that has led to the enactment of Section 304-B would make it clear that the expression is a relative expression. Time-lags may differ from case to case. All that is necessary is that the demand for dowry should not be stale but should be the continuing cause for the death of the married woman under Section 304-B."

The Apex Court, in the judgments referred to *supra*, has consistently held that the phrase is a relative expression, the import of which must necessarily depend upon the facts and circumstances of each case. **"Soon before death" is not synonymous with "immediately before death."** The proximity test is to be evaluated not with mathematical precision, but with pragmatic realism. The judgment of the Apex Court in **SURINDER SINGH V. STATE OF HARYANA** reiterates that the statutory presumption under Section 113B of the Evidence Act operates against the accused unless rebutted by cogent evidence.

17. In the light of the law declared by the Apex Court, particularly in cases arising under Sections 304B and 498A of the IPC, which now find their corresponding reflection in Sections 80 and 85 of the BNS, this Court is of the considered view that the present matter does not warrant exercise of inherent jurisdiction under Section 528 of the BNSS, to obliterate the proceedings at the threshold. The allegations, the death note, the witness statements, and the surrounding circumstances cumulatively disclose issues which can only be adjudicated upon a full-fledged trial. Consequently, I decline to exercise jurisdiction to quash the proceedings insofar as accused nos.1, 2, 3 and 4 are concerned.

18. Insofar as accused Nos.5 and 6 are concerned, they are distant relatives of accused No.1. What kind of relation did accused no.1 have with accused nos.5 and 6 is nowhere found in the entire petition nor in the complaint and the charge sheet. Therefore, accused nos.5 and 6 who only went along with accused nos.2, 3 and 4 to bring about or seek an explanation from the hands of the daughter of the de-facto complainant cannot be drawn into the web of proceedings.

19. The word 'relative' that is found in Section 304B or 498A of the IPC is, relative by blood, marriage or adoption and only a relative of the husband can be proceeded against for the aforesaid offences. The interpretation of the word 'relative' need not detain this Court for long. The Apex Court in the case of **STATE OF PUNJAB v. GURMIT SINGH**⁴, has held as follows:

"....

8. Admittedly, the respondent is not the husband of the woman who died and, therefore, the question which falls for determination is as to whether he comes within the ambit of "any relative of her husband". The expression "relative" has not been defined in IPC. The provision with which we are concerned is a penal provision which deserves strict construction. It is well settled that when the words of a statute are not defined, it has to be understood in their natural, ordinary or popular sense. For this purpose, it shall be permissible to refer to dictionaries to find out the general sense in which the word is understood in common parlance. **In *Ramanatha Aiyar's Advanced Law Lexicon* (Vol. 4, 3rd Edn.), the word "relative" means any person related by blood, marriage or adoption. A large number of dictionaries give this word "relative", in context, the same meaning.**

9. It is relevant here to state that the expression "relative of the husband" has been used in Section 498-A IPC. While interpreting the said expression, this Court in ***U. Suvetha v. State* [(2009) 6 SCC 757 : (2009) 3 SCC (Cri) 36]** held it to mean a person related by blood, marriage or adoption. The relevant portion of the judgment reads as follows: (SCC p. 762, para 10)

⁴ (2014) 9 SCC 632

"10. In the absence of any statutory definition, the term 'relative' must be assigned a meaning as is commonly understood. Ordinarily it would include father, mother, husband or wife, son, daughter, brother, sister, nephew or niece, grandson or granddaughter of an individual or the spouse of any person. The meaning of the word 'relative' would depend upon the nature of the statute. It principally includes a person related by blood, marriage or adoption."

10. The expression "relative of the husband" further came up for consideration in *Vijeta Gajra v. State (NCT of Delhi)* [(2010) 11 SCC 618 : (2011) 1 SCC (Cri) 223] and while approving the decision of this Court in *U. Suvetha* [(2009) 6 SCC 757 : (2009) 3 SCC (Cri) 36] , it was held that the word relative would be limited only to the blood relations or the relations by marriage. It is appropriate to reproduce the following passage from the said judgment: (*Vijeta Gajra case* [(2010) 11 SCC 618 : (2011) 1 SCC (Cri) 223] , SCC p. 621, para 12)

"12. Relying on the dictionary meaning of the word 'relative' and further relying on *P. Ramanatha Aiyar's Advanced Law Lexicon* (Vol. 4, 3rd Edn.), the Court went on to hold that Section 498-A IPC being a penal provision would deserve strict construction and unless a contextual meaning is required to be given to the statute, the said statute has to be construed strictly. On that behalf the Court relied on the judgment in *T. Ashok Pai v. CIT* [(2007) 7 SCC 162] . A reference was made to the decision in *Shivcharan Lal Verma v. State of M.P.* [(2007) 15 SCC 369 : (2010) 3 SCC (Cri) 729] After quoting from various decisions of this Court, it was held that reference to the word 'relative' in Section 498-A IPC would be limited only to the blood relations or the relations by marriage."

11. It is a well-known rule of construction that when the legislature uses same words in different parts of the statute, the presumption is that those words have been used in the same sense, unless displaced by the context. **We do not find anything in context to deviate from the general rule of**

interpretation. Hence, we have no manner of doubt that the word "relative of the husband" in Section 304-B IPC would mean such persons, who are related by blood, marriage or adoption. When we apply this principle the respondent herein is not related to the husband of the deceased either by blood or marriage or adoption. Hence, in our opinion, the High Court did not err in passing the impugned order [*Gurmit Singh v. State of Punjab*, (2006) 1 RCR (Cri) 562 (P&H)] . We hasten to add that a person, not a relative of the husband, may not be prosecuted for the offence under Section 304-B IPC but this does not mean that such a person cannot be prosecuted for any other offence viz. Section 306 IPC, in case the allegations constitute offence other than Section 304-B IPC."

(Emphasis supplied at each instance)

The Apex Court holds that a person who is not a relative of the husband in terms of the definition as found in Section 304B or 498A of the IPC, which is now 80 and 85 of the BNS, cannot be proceeded against in a case of dowry death. Therefore, permitting proceedings against accused nos.5 and 6 who had no role to play in the lives of accused no.1 to 4 or the deceased or the complainant, permitting proceedings against accused nos.5 and 6 would become an abuse of the process of the law. Insofar as the allegations against the father of the deceased are concerned, it is always open to the prosecution to draw him as an accused, if the evidence so warrants, strictly in consonance with law.

20. Insofar as the other accused are concerned, this Court is of the opinion that the proceedings cannot be quashed against them. However, accused nos.1 to 4 are permitted to avail of such remedy as is available in law and if availed of, the observations made in the course of the order, will not come in the way, bind or influence the concerned Court in answering any such remedy that is availed of by the said accused Nos.1 to 4 and answer the same on the merit of the matter.

21. For the aforesaid reasons, the following:

ORDER

- (i) Writ Petition No.18828 of 2025 stands ***dismissed***.
- (ii) Writ Petition No.31907 of 2025 is ***allowed in part***.
- (iii) The petition, insofar as accused nos.1 to 4, stands dismissed, leaving open to the said accused to avail of such remedy as is available in law, and if availed of, the concerned Court would not be influenced or bound by the observations made in the course of this order.

- (iv) The impugned proceedings *qua* accused nos.5 and 6 stand quashed.

**Sd/-
(M.NAGAPRASANNA)
JUDGE**

Bkp
CT:SS