

**REPORTABLE**

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO(s). **OF 2025**
(Arising out of SLP(Crl.) No(s). 2570 of 2018)

**MUPPIDI LAKSHMI NARAYANA
REDDY & ORS.** **... APPELLANTS**

VERSUS

**THE STATE OF ANDHRA
PRADESH & ANR.** **... RESPONDENTS**

JUDGMENT

PRASHANT KUMAR MISHRA, J.

Leave granted.

2. In the present appeal the appellants have challenged the order passed by the High Court whereby their petition under

Section 482 Cr.P.C for quashing proceedings in C.C. No. 359 of
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Reason:

2016 on the file of the Special Judicial Magistrate, Ist Class for Prohibition & Excise Cases, Guntur was dismissed.

3. The appellant No.1 (A4) is the sister-in-law of the de-facto complainant, appellant No. 2 (A5) is the husband of A4 and appellant No. 3 (A6) is the father-in-law of appellant No. 1 (A4).

4. The marriage between de-facto complainant (respondent no. 2) with Challa Poornananda Reddy (A1) was solemnised on 24.05.2014 at Guntur. After five months of the marriage, the de-facto complainant left the company of her husband and joined her parents to live at her parental house at Vidyanagar, Guntur. On persuasion, she joined her husband but again went back to her parental house and this act continued for some more time compelling the husband to send a legal notice followed by a petition for restitution of conjugal rights on 18.02.2015. During the pendency of this proceeding, she lodged a complaint before the concerned police on 13.02.2016. However, on intervention of elders a compromise was arrived at on 02.04.2015 and the husband (A1) withdrew the case of restitution of conjugal rights and the de-facto complainant also withdrew her complaint before the concerned police.

5. She later left for USA without intimating the husband or his family members and the dispute continued. The husband moved a petition for dissolution of marriage on 21.06.2016 and as a counterblast she again lodged a police complaint bearing FIR No. 79 of 2016 against six accused persons including the present appellants.

6. It is the case of the appellants that they are nowhere connected with the dispute between the husband and the wife or the husband's family members. The appellants are residing at Hyderabad. On the complaint of the father of the respondent no. 2 (de-facto complainant) an offence under Section 66C of the Information Technology Act was registered against the husband (A1) which is pending as CC No. 775 of 2016 before the learned Special Judicial First-Class Magistrate for Prohibition and Excise, Gunturu, Andhra Pradesh. It is further case of the appellants that accused no. 4 is a housewife, accused no. 5 is a Software Engineer in a Private Software Company and accused no. 6 is a Central Government employee and all are stationed at Hyderabad having no connection or intervention with the dispute between the de-facto complainant and her husband.

7. The High Court refused to allow the quashing petition on the ground that there are allegations against the appellants for which a trial is required and the same cannot be disbelieved at this stage.

8. Having heard learned counsel for the parties and on perusal of record it appears that there are omnibus and general allegations against the appellants. As per complaint, although, they reside at Hyderabad, they used to visit Guntur and during such visit they used to instigate accused no. 1/husband and his parents and would also join in demanding dowry. The initial allegation is of demand of Rs. 5,00,000/- made against accused No. 4/appellant no. 1 with further statement that they used to taunt that if accused no. 1 would have married somewhere else, he would have got Rs. 10 crores dowry. There is no allegation of any physical torture being perpetrated by the present appellants. The allegation is only of taunt and statement that they are highly placed having political influence and connection with Ministers as such they instigated accused no. 1 to accused no. 3 to pressurise the de-facto complainant to get additional dowry.

9. There is no denial of the fact that the appellants reside at Hyderabad whereas the de-facto complainant stayed at Guntur in her marital house. There is no specific date as to when the present appellants visited Guntur and joined accused nos. 1 to 3 in demanding dowry from de-facto complainant. Considering the growing trend of the dowry victim arraigning the relatives of the husband, this Court in the matter of **Geeta Mehrotra & Anr. vs. State of Uttar Pradesh & Anr.**¹ has deprecated the practice involving the relatives of the husband for the offence under Section 498A IPC and Section 4 of Dowry Prohibition Act, 1961. The following has been held in para 18:

“18. Their Lordships of the Supreme Court in *Ramesh* case [(2005) 3 SCC 507 : 2005 SCC (Cri) 735] had been pleased to hold that the bald allegations made against the sister-in-law by the complainant appeared to suggest the anxiety of the informant to rope in as many of the husband's relatives as possible. It was held that neither the FIR nor the charge-sheet furnished the legal basis for the Magistrate to take cognizance of the offences alleged against the appellants. The learned Judges were pleased to hold that looking to the allegations in the FIR and the contents of the charge-sheet, none of the alleged offences under Sections 498-A, 406 IPC and Section 4 of the Dowry Prohibition Act were made against the married sister of the complainant's husband who was undisputedly not living with the family of the complainant's husband. Their Lordships of the Supreme Court were pleased to hold that the High Court ought not to have relegated the sister-in-law to the ordeal of trial. Accordingly, the

¹ (2012) 10 SCC 741

proceedings against the appellants were quashed and the appeal was allowed."

10. In a recent judgment in the matter of **Dara Lakshmi Narayana & Ors. vs. State of Telangana & Anr.**², this Court has again reiterated and deprecated the practice of involving the relatives of the husband in dowry related matters. The following has been held in paras 24, 25, 28, 30, 31 & 32:

“24. Insofar as appellant Nos.2 to 6 are concerned, we find that they have no connection to the matter at hand and have been dragged into the web of crime without any rhyme or reason. A perusal of the FIR would indicate that no substantial and specific allegations have been made against appellant Nos.2 to 6 other than stating that they used to instigate appellant No.1 for demanding more dowry. It is also an admitted fact that they never resided with the couple namely appellant No.1 and respondent No.2 and their children. Appellant Nos.2 and 3 resided together at Guntakal, Andhra Pradesh. Appellant Nos.4 to 6 live in Nellore, Bengaluru and Guntur respectively.

25. A mere reference to the names of family members in a criminal case arising out of a matrimonial dispute, without specific allegations indicating their active involvement should be nipped in the bud. It is a well-recognised fact, borne out of judicial experience, that there is often a tendency to implicate all the members of the husband's family when domestic disputes arise out of a matrimonial discord. Such generalised and sweeping accusations unsupported by concrete evidence or particularised allegations cannot form the basis for criminal prosecution. Courts must exercise caution in such cases to prevent misuse of legal provisions and the legal process and avoid unnecessary harassment of innocent family members. In the present case, appellant Nos.2 to 6, who are the members of the family of appellant No.1 have been living in different cities and have not resided in the matrimonial house of

appellant No.1 and respondent No.2 herein. Hence, they cannot be dragged into criminal prosecution and the same would be an abuse of the process of the law in the absence of specific allegations made against each of them.

28. The inclusion of Section 498A of the IPC by way of an amendment was intended to curb cruelty inflicted on a woman by her husband and his family, ensuring swift intervention by the State. However, in recent years, as there have been a notable rise in matrimonial disputes across the country, accompanied by growing discord and tension within the institution of marriage, consequently, there has been a growing tendency to misuse provisions like Section 498A of the IPC as a tool for unleashing personal vendetta against the husband and his family by a wife. Making vague and generalised allegations during matrimonial conflicts, if not scrutinized, will lead to the misuse of legal processes and an encouragement for use of arm-twisting tactics by a wife and/or her family. Sometimes, recourse is taken to invoke Section 498A of the IPC against the husband and his family in order to seek compliance with the unreasonable demands of a wife. Consequently, this Court has, time and again, cautioned against prosecuting the husband and his family in the absence of a clear *prima facie* case against them.

30. In the above context, this Court in *G.V. Rao vs. L.H.V. Prasad* (2000) 3 SCC 693 observed as follows:

"12. There has been an outburst of matrimonial disputes in recent times. Marriage is a sacred ceremony, the main purpose of which is to enable the young couple to settle down in life and live peacefully. But little matrimonial skirmishes suddenly erupt which often assume serious proportions resulting in commission of heinous crimes in which elders of the family are also involved with the result that those who could have counselled and brought about rapprochement are rendered helpless on their being arrayed as accused in the criminal case. There are many other reasons which need not be mentioned here for not encouraging matrimonial litigation so that the parties may ponder over their defaults and terminate their disputes amicably by mutual

agreement instead of fighting it out in a court of law where it takes years and years to conclude and in that process the parties lose their "young" days in chasing their "cases" in different courts."

31. Further, this Court in Preeti Gupta vs. State of Jharkhand (2010) 7 SCC 667 held that the courts have to be extremely careful and cautious in dealing with these complaints and must take pragmatic realities into consideration while dealing with matrimonial cases. The allegations of harassment by the husband's close relatives who had been living in different cities and never visited or rarely visited the place where the complainant resided would have an entirely different complexion. The allegations of the complainant are required to be scrutinized with great care and circumspection.

32. We, therefore, are of the opinion that the impugned FIR No.82 of 2022 filed by respondent No.2 was initiated with ulterior motives to settle personal scores and grudges against appellant No.1 and his family members i.e., appellant Nos.2 to 6 herein. Hence, the present case at hand falls within category (7) of illustrative parameters highlighted in Bhajan Lal. Therefore, the High Court, in the present case, erred in not exercising the powers available to it under Section 482 CrPC and thereby failed to prevent abuse of the Court's process by continuing the criminal prosecution against the appellants."

11. In the present case also, it is an admitted position that the appellants are residing at Hyderabad whereas the de-facto complainant stayed in her marital house at Guntur at the relevant point of time. She is presently staying in USA. There is omnibus allegation against the appellants that they too used

to demand dowry or instigate accused nos. 1 to 3 who are not before us, in demanding dowry.

12. Considering the entire facts of the case, we are of the view, having relied on this Court's previous decisions in **Geeta Mehrotra** (supra) & **Dara Lakshmi Narayana** (supra), the present criminal case against the appellants deserves to be quashed. Accordingly, the appeal is allowed and Criminal Case No. 359 of 2016 against the appellants is quashed.

.....J.
(AHSANUDDIN AMANULLAH)

.....J.
(PRASHANT KUMAR MISHRA)

NEW DELHI;
APRIL 23, 2025.