



CNR: KAHC010032992026

NC: 2026:KHC:53348
CRL.A No. 79 of 2026

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 25TH DAY OF SEPTEMBER, 2026
BEFORE
THE HON'BLE MR. JUSTICE S RACHAIAH
CRIMINAL APPEAL NO. 79 OF 2026 (U/S 14(A) (2))**

BETWEEN:

SMT. GEETHA V,
W/O. MR. DEEPAK,
AGED ABOUT 30 YEARS,
RESIDING AT NO.37,
2ND CROSS, 3RD MAIN,
VIJAYA BANK LAYOUT,
AREKERE,
BENGALURU - 560 076.

...APPELLANT

(BY SRI. NARASIMHA RAJESH K. S., ADVOCATE)

AND:

1. MR. DEEPAK,
S/O. JAYARAM SHETYT,
AGED ABOUT 28 YEARS,
R/AT NO.6-25, SEETHA NILAYA,
KANCHANA KAMBALE HOUSE,

Digitally
signed by
SUSHMA
LAKSHMI
B S
Location:
High
Court of
Karnataka



NC: 2026:KHC:53348
CRL.A No. 79 of 2026

CNR: KAHC010032992026

MAME AJEKAR KARKALA,
UDUPI - 574 101.

2. STATE OF KARNATAKA
BY MICO LAYOUT
POLICE STATION,
REPRESENTED BY THE
STATE PUBLIC PROSECTOR,
HIGH COURT OF KARNATAKA,
BENGALURU - 560 001.

...RESPONDENTS

(BY SRI. S. MANOJ KUMAR., ADVOCATE)

THIS CRL.A IS FILED U/S 14(A)(2) OF SC/ST (POA) ACT BY THE ADVOCATE FOR THE APPELLANT/S PRAYING TO CANCEL THE BAIL GRANTED TO RESPONDENT NO.1 IN CRL.A.NO.1056/2025, DATED 22.05.2025, BY THIS COURT, FOR THE OFFENCE P/U/S 115(2), 3(5), 351(2), 351(3), 352, 85 OF BNS 2023 AND SEC.3, 4 OF DP ACT, SEC.3(1)(r)(s) OF SC/ST (POA) ACT 1989.

THIS CRIMINAL APPEAL HAVING BEEN HEARD AND RESERVED ON 31.07.2026, COMING ON FOR PRONOUNCEMENT OF JUDGMENT, THIS DAY, THE COURT MADE THE FOLLOWING:-

CORAM: HON'BLE MR. JUSTICE S RACHAIAH



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CAV JUDGMENT

1. This criminal appeal is filed by the appellant who is the legally wedded wife of respondent No.1. The complainant has filed a complaint before the MICO Layout Police Station for the offences punishable under Sections 3 and 4 of Dowry Prohibition Act, 1961 and under Sections 3(1)(r), 3(1)(s) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) (Amendment Ordinance) Act, 2014 and under Sections 115(2), 3(5), 351(2), 351(3), 352, 85 of the Bharatiya Nyaya Sanhita, 2023.

Factual matrix of the case:

2. The case of the prosecution is that the respondent No.1 was arrested in connection with the said Crime and his application for bail was rejected. Being aggrieved by the said order the respondent No.1 has preferred a criminal Appeal before this Court. This Court was pleased to grant the relief on 22.05.2025. However, the respondent No.1 has misused the liberty granted by this Court and he had approached the appellant with a false assurance of



reconciliation and claimed that he had realized his mistakes and promised to lead a peaceful marital life by trusting the said assurance and in a hope of continuing the matrimonial relationship, the appellant been to stay with respondent No.1. However, the said assurance was completely false and deceptive.

3. It is further submitted that on 25.10.2025, the appellant and the respondent No.1 were staying together in the house, at that time, the respondent No.1 picked up a quarrel and physically assaulted the appellant and also abused her in a filthy language and made serious and humiliating character assassination allegations, causing severe bodily pain and mental trauma. Due to the said injuries she was taken to General Hospital, Jayanagar and medical examination was also done and further a case came to be registered against the respondent No.1 on the said date. Hence, the appellant has filed this appeal for cancellation of bail.

4. Heard learned counsel for the respective parties.



5. Learned counsel for the appellant submits that this Court vide order dated 22.05.2025 has granted bail by imposing suitable conditions stating that the appellant shall not involve in any other criminal cases or such similar cases in future till disposal of the present case. However, the appellant had violated the said condition and he has committed a crime. The same has been registered before the Hulimavu Police Station in Crime No.90/2025. Therefore, the bail granted earlier to the appellant may be cancelled till disposal of the case in Crime No.116/2025. Making such submissions learned counsel for the appellant prays to allow the appeal.

6. *Per Contra*, learned High Court Government Pleader for respondent No.1 has filed a statement of objections stating that the appeal filed by the appellant for cancellation of bail is wholly misconceived and devoid of merits, as it is based on the suppression of material facts. It is further submitted that cancellation of bail stands on different footings from consideration of bail. Once the bail is granted the same cannot be cancelled in the absence of misuse of liberty, tampering with evidence or other reasons amenable to such cancellation. It is



CNR: KAHC010032992026

further submitted that the allegations in Crime No.90/2025 arising out of the same matrimonial relationship, involve the same set of facts and contain substantially similar allegations that have already formed the subject matter of Crime No.116/2025. It is further submitted that initially, the appellant had implicated the mother and sister of respondent No.1 in Crime No.90/2025, but after investigation, they were deleted. The repeated implication and deletion of the mother and sister of respondent No.1 clearly demonstrate exaggeration, over-implication and abuse of criminal process. Therefore, the grounds for cancellation cannot be considered. In fact, respondent No.1 has not misused the liberty granted by this Court. Hence, this criminal appeal may be rejected.

7. Having heard learned counsel for the respective parties and also the order passed by this Court in Crl.A.No.1056/2025, it makes clear that conditions No.(v) would indicate as follows:

"The appellant shall not involve in any other criminal cases or such similar cases in future till disposal of the present case".



NC: 2026:KHC:53348
CRL.A No. 79 of 2026

CNR: KAHC010032992026

8. No doubt, this order was passed on 22.05.2025 and the FIR came to be registered on 26.10.2025 before the South East Women Police Station, Bangalore. On going through these aspects, I am of the considered opinion that the respondent No.1 has violated the bail condition stated *supra*.

9. Hence, I proceed to pass the following:

ORDER

- i. This Criminal Appeal is ***allowed***.
- ii. The order dated 22.05.2025 passed by this Court in Crl.A.No.1056/2025, is hereby, set aside.
- iii. The respondent – Police is directed to take necessary steps in accordance with law in respect of Crime No.90/2025.

**Sd/-
(S RACHAIAH)
JUDGE**

NM/-
List No.: 1 Sl No.: 50