



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 6TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE MOHAMMAD NAWAZ

CRIMINAL PETITION NO. 11800 OF 2025

BETWEEN:

ESHAN KURESHI,
S/O. HAJI KURESHI,
AGED ABOUT 27 YEARS,
R/OF BILAL MSSZID ROAD,
KUSHALANAGARA EXTENSION,
SAKALESHPURA TOWN,
HASSAN DISTRICT-573134.

...PETITIONER

(BY SRI. MURTHY D.L., ADVOCATE)

AND:

STATE BY SAKALESHPURA TOWN POLICE STATION
SAKALESHPURA,
HASSAN DISTRICT-573 134.
REP SPP, HIGH COURT OF KARNATAKA,
BENGLURU-560 001.

...RESPONDENT

(BY SRI. RAHUL RAI K., HCGP)

THIS CRL.P IS FILED U/S 439 CR.PC (FILED U/S 483 BNSS) PRAYING TO ENLARGE THE PETITIONER ON BAIL IN SC.NO.185/2022, IN CR.NO.46/2022, REGISTERED BY THE SAKALESHPURA TOWN POLICE STATION, FOR THE ALLEGED OFFENCES P/U/S 302, 323, 504, 120B AND 149 OF IPC, PENDING CONSIDERATION ON THE FILE OF THE PRL. DISTRICT AND SESSIONS JUDGE, HASSAN, AND THAT FOR THE REASONS STATED ABOVE.

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



CORAM: HON'BLE MR. JUSTICE MOHAMMAD NAWAZ

ORAL ORDER

This is a successive bail petition preferred by the petitioner praying to enlarge him on bail in S.C.No.185/2022 pending before the Court of Principal District and Sessions Judge, Hassan.

2. Learned counsel for the petitioner would submit that on three occasions prayer for bail has been rejected, but the petitioner has preferred this petition on the ground that grounds of arrest are not furnished to him at the time of his arrest and the intimation regarding his arrest were also not given to his nearest relatives or friends.

3. The previous orders rejecting the bail petitions of the petitioner are not furnished by the learned counsel and the same is also not mentioned in the petition. However, the fact remains that prayer seeking bail has been already rejected by this Court, on merits.

4. Insofar as the grounds now urged by the learned counsel, the learned Sessions Judge while



dismissing bail petition at paragraph No.11 has observed that I.O. has issued ದಸ್ತಗಿರಿ ತಿಳುವಳಿಕೆ ಪತ್ರ dated 18.03.2022 narrating the grounds for which he was arrested and also obtained his signature. Hence, there is compliance of Section 50(1) of Cr.P.C. Further, observed that I.O. has produced the documents nomenclature "ಆರೋಪಿಯ ಸಂಬಂಧಿಕರಿಗೆ ದಸ್ತಗಿರಿಯಾದ ಬಗ್ಗೆ ತಿಳಿಸುವ ತಿಳುವಳಿಕೆ ಪತ್ರ" and it does not contain the signature of any relatives or friends or any other person whose name has been nominated by the accused to give such information.

5. Charge sheet is filed in connection with Crime No.46/2022 of Sakaleshpura Town Police Station, for the offence punishable under Section 302, 323, 504, 120B read with Section 149 of IPC. Petitioner is arraigned as accused No.1 in the charge sheet. The specific overt acts of stabbing the deceased with a knife is attributed against the petitioner. He was arrested on 18.03.2022.



6. The Apex Court in "Mihir Rajesh Shah V/s. State of Maharashtra and another" reported in 2025 LiveLaw (SC) 1066, while considering mandatory requirements to furnish grounds of arrest to accused etc. at paragraph No.58 has held as under:

"58. We are cognizant that there existed no consistent or binding requirement mandating written communication of the grounds of arrest for all the offences. Holding as above, in our view, would ensure implementation of the constitutional rights provided to an arrestee as engrafted under Article 22 of the Constitution of India in an effective manner. Such clarity on obligation would avoid uncertainty in the administration of criminal justice. The ends of fairness and legal discipline therefore demand that this procedure as affirmed above shall govern arrests henceforth."

7. In view of the above, the grounds now urged by the learned counsel for the petitioner cannot be considered to enlarge the petitioner on bail at this stage. Even otherwise, there is compliance of Section 50(1) of Cr.P.C.

8. Petitioner is in judicial custody from 18.03.2022, i.e., for nearly 4 years. It is submitted by the learned High Court Government Pleader that 18 witnesses



are already examined out of 47 witnesses cited in the charge sheet and therefore, the trial is in progress.

9. Petitioner can file a fresh petition before the Sessions Court on the ground of delay in trial, if any and if such an application is filed, the learned Sessions Judge shall consider and dispose of the same in accordance with law, as expeditiously as possible.

10. Petition is ***dismissed***.

**Sd/-
(MOHAMMAD NAWAZ)
JUDGE**

LDC
List No.: 1 Sl No.: 3