



CNR: KAHC010542692026

NC: 2026:KHC:49666  
CRL.P No. 11898 of 2026

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 11<sup>TH</sup> DAY OF SEPTEMBER, 2026**

**BEFORE**

**THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY**

**CRIMINAL PETITION NO. 11898 OF 2026**

**(439(Cr.PC) / 483(BNSS))**

**BETWEEN:**

1. MUNAVAR  
S/O SYED KHADAR,  
AGED ABOUT 38 YEARS,  
R/AT NO 34/1,10TH CROSS,  
NEAR SALIM BEAF STALL,  
BEHIND VINAYAKA THEATRE,  
THANGAMALAI NAGAR,  
PREMAGULLY, D.J.HALLI,  
BANGALORE-560045

...PETITIONER

(BY SRI. KRISHNE GOWDA M.,ADVOCATE)

**AND:**

1. STATE OF KARNATAKA  
STATE BY D.J.HALLI P.S.  
RPTD BY STATE PUBLIC PROSECUTOR,  
HIGH COURT OF KARNATAKA,  
BANGALORE- 560 001.

...RESPONDENT

(BY SRI. RAHUL RAI K., HCGP)

CRL.P FILED U/S 439 CR.PC (FILED U/S 483 BNSS) BY  
THE ADVOCATE FOR THE PETITIONER PRAYING THAT THIS  
HONOURABLE COURT MAY BE PLEASED TO PASS AN ORDER OF  
BAIL ENLARGING THE PETITIONER IN CR.NO.338/2022 OF D.J



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HALLI POLICE, NOW IN S.C.NO.151/2023 AND PENDING TRIAL BEFORE LXXI ADDL.CITY CIVIL AND SESSIONS JUDGE AT BENGALURU CCH-72 FOR THE OFFENCE P/U/S 506,504,302 OF IPC.THE LXXI ADDL.CITY CIVIL AND SESSIONS JUDGE, BENGALURU HAS DISMISSED THE BAIL PETITION ON 24.06.2023 IN CRL.MISC.NO.4796/2023

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

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

### **ORAL ORDER**

Accused in S.C.No.151/2023 pending before the Court of LXXI Additional City Civil and Sessions Judge at Bengaluru, arising out of Crime No.338/2022 registered by Devarajeevanahalli Police Station, Bengaluru for the offences punishable under Section 504, 506, 302 of the Indian Penal Code, 1860, is before this Court in this petition filed under Section 483 of BNSS, 2023 seeking regular bail.

2. Heard the learned counsel for the parties.

3. FIR in Crime No.338/2022 was registered by Devarajeevanahalli Police Station, Bengaluru for the



**CNR: KAHC010542692026**

offences punishable under Section 504, 506, 307 of the Indian Penal Code against the petitioner herein based on the first information dated 24.09.2022 received from one Nawaz brother of the deceased Shaheeda.

4. In the said case the petitioner was arrested on 25.09.2022 and remanded to judicial custody. It appears that injured Shaheeda, who was the wife of the petitioner, had died in the hospital while undergoing treatment on 24.09.2022. Subsequently, the offence punishable under Section 302 of IPC was invoked in the present case and after completing investigation, charge sheet is filed against the petitioner for the aforementioned offences. His bail application filed before the Trial Court in Criminal Misc No.4796/2023 was rejected on 24.06.2023.

5. Learned counsel for the petitioner submits that except the present case, petitioner has no other criminal case registered against him. In the present case, he is in custody for the last more than 4 years. All the material



**CNR: KAHC010542692026**

charge sheet witnesses have been examined and the alleged eye witnesses have turned hostile to the case of prosecution. Accordingly, he prays to allow the petition.

6. Per contra, learned High Court Government Pleader opposed the bail petition and submits that, earlier the petitioner had approached this Court in the year 2023. On the ground of delay in trial, he has not approached the Sessions Court. Accordingly, he prays to dismiss the petition.

7. Deceased Shaheeda was the wife of the petitioner and CW6 is their daughter. It appears that petitioner had decided to perform the marriage of his daughter CW6 with CW11, who is his friend's son, but CW6 was not willing to marry CW11 and she had accordingly informed the same to her mother. Subsequently petitioner had found the photograph of CW6 with her school friend CW16, and CW11 informed to the petitioner that since CW6 was in love with CW16, she was not willing to marry



**CNR: KAHC010542692026**

him. It is under these circumstances, the petitioner had developed vengeance against his wife and on 21.09.2022 at about 05.30 p.m., when Shaheeda and CW6 were in their house, the petitioner picked up a quarrel and thereafter assaulted his wife Shaheeda with a knife on her stomach causing grievous injuries. Though Shaheeda was immediately shifted to hospital, subsequently she had died in the hospital on 24.09.2022 while undergoing treatment.

8. It is not in dispute that the petitioner is in judicial custody for more than four years. Before the trial court out of 33 charge sheet witnesses, as on this date, 18 witnesses have been examined as PW1 to PW18. CW6 and CW7 are said to be the eyewitnesses to the incident in question. They have been now examined before the trial court as PW2 and PW7. Submission made by learned counsel for the petitioner that PW2 and PW7 have turned hostile to the case of the prosecution is not disputed by the learned High Court Government Pleader.



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CRL.P No. 11898 of 2026

9. Considering the aforesaid aspects of the matter and more so the period of petitioner's incarceration , I am of the opinion that the prayer made by the petitioner for grant of regular bail needs to be answered affirmatively, subject to appropriate conditions. Accordingly, the following:

**ORDER**

i) The Criminal Petition is **allowed**.

ii) The petitioner is directed to be enlarged on bail in S.C.No.151/2023 pending before the Court of LXXI Additional City Civil and Sessions Judge at Bengaluru, arising out of Crime No.338/2022 registered by Devarajeevanahalli Police Station, Bengaluru for the offences punishable under Section 504, 506, 302 of the Indian Penal Code, 1860, subject to the following conditions:

a) The petitioner shall execute personal bond for a sum of Rs.1,00,000/- with two



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CRL.P No. 11898 of 2026

sureties for the likesum, to the satisfaction of the jurisdictional Court;

b) The petitioner shall appear regularly on all the dates of hearing before the Trial Court unless the Trial Court exempts his appearance for valid reasons;

c) The petitioner shall not directly or indirectly threaten or tamper with the prosecution witnesses;

d) The petitioner shall not involve in similar offences in future;

e) The petitioner shall not leave the jurisdiction of the Trial Court without permission of the said Court until the case registered against him is disposed off.

**Sd/-  
(S VISHWAJITH SHETTY)  
JUDGE**

HR  
List No.: 1 Sl No.: 69