



CNR: KAHC010550662026

NC: 2026:KHC:50738
CRL.P No. 12010 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 12010 OF 2026

BETWEEN:

APOORVA KUMAR N. R.
S/O RAVI N.S
AGED ABOUT 31 YEARS
R/AT NO.23, APPAJI NILAYA
1ST MAIN, 1ST CROSS,
POLICE QUARTER ROAD,
KEMPEGOWDANAGARA,
BYADARAHALLI, MAGADI MAIN ROAD,
BENGALURU - 560 091.

...PETITIONER

(BY SRI. SHARATH J.M, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
BYADARAHALLI POLICE STATION,
BENGALURU,
REPRESENTED BY STATE PUBLIC PROSECUTOR,
HIGH COURT BUILDINGS
BANGALORE - 560 001.
2. LIPIKA K. GOWDA
AGED ABOUT 26 YEARS
R/AT NO.266, 1ST CROSS
MAHADESWARH NAGAR, SUNKADATTE,

Digitally signed
by
ANNA PURNA G
Location: High
Court of
Karnataka



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BENGALURU - 91.

...RESPONDENT

(BY SRI. ARAHUL RAI K, HCGP FOR R1;
SRI. RENSURE PRITHESH D' SOUZA)

THIS CRL.P IS FILED U/S.439 (FILED U/S.483 BNSS) OF CR.P. PRAYING TO ENLARGE HIM ON BAIL IN CRIME NO.185/2026 OF BYADRAHALLI POLICE STATION FOR THE OFFENCE P/US/ 69, 79, 89, 115(2), 118(1), 351(2), 352 R/W SEC.3(5) OF BNS NOW PENDING ON THE FILE OF THE LEARNED CJM BENGALURU RURAL DISTRICT, BENGALURU.

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 No.1 in Crime No.185 of 2026 registered by Byadarahalli Police Station, Bengaluru City for the offences punishable under Section 69 of BNS, 2023, is before this Court, in this petition filed under Section 483 of BNS 2023 seeking regular bail.

2. Heard the learned counsel for the parties.

3. FIR in Crime No.185 of 2026 registered by Byadarahalli Police Station, Bengaluru City for the offences punishable under Section 69, 79, 89, 115(2), 118(1),



351(2), 352 read with Section 3(5) of BNS, 2023 against the petitioner herein and nine others, who are his relatives. In the said case, the petitioner was arrested on 10.07.2026 and remanded to judicial custody. His bail application filed before the jurisdictional Sessions Court in Crl.Misc.No.1512 of 2026 was rejected on 30.07.2026. Therefore, he is before this Court.

4. Learned counsel for the petitioner submits that investigation of the case is now completed and charge sheet is filed. Only offence punishable under Section 69 of BNS is invoked against the petitioner herein and other accused named in the FIR have been dropped in the charge sheet. From the reading of the first information as well as the charge sheet it is very clear that the offence punishable under Section 69 of Act does not get attracted against the petitioner. Accordingly, he prays to allow the petition.



5. *Per contra*, learned High Court Government Pleader and learned counsel for respondent No.2, who has filed the statement of objections have opposed the petition.

6. Learned counsel for respondent No.2 submits that there is a constant threat by the petitioner to the family of the first informant. They are all residing in the same locality. He also submits that the petitioner had sexual intercourse with the victim girl by constantly threatening her and though, he had promised to marry her, subsequently he has refused to marry her. Therefore, the charge sheeted offence gets attracted against him. Accordingly, he prays to dismiss the petition.

7. FIR in the present case was registered against the petitioner and nine others, who are his relatives for the offences punishable under Sections 115(2), 118(1), 352, 89, 69, 79, 351(2) read with Section 3(5) of BNS, 2023, based on the typed first information dated



14.04.2026 submitted by the victim girl, aged about 26 years. In the first information, it is averred that the victim girl is acquainted with the petitioner for the last 2 years. She had accompanied him along with her sister and one Girish Gowda on 26.04.2025 and they had consumed alcohol. She has further alleged that on 13.08.2025, the petitioner had taken her to OYO room and had sexual intercourse with her. Subsequently, he had promised to marry her. Thereafter, he had taken her to various places and by threatening her he had sexual intercourse with her multiple times. She has also averred that the petitioner had demanded money from her family members and her mother had paid a sum of Rs.5,00,000/-. She has also alleged that though the marriage engagement ceremony was performed between her and petitioner, subsequently the family members of the petitioner and the petitioner had opposed the marriage. Thereafter, she had approached the police on 14.04.2026.



8. Investigation of the case is now completed and charge sheet is filed against the petitioner for offence punishable under Section 69 of the BNS, 2023. All the other offences invoked in the FIR and other accused persons named in the FIR have been dropped in the charge sheet. Section 69 of BNS, 2023 would get attracted only if a person, by deceitful means or by making promise to marry a woman without any intention of fulfilling the same has sexual intercourse with her. In the present case, the victim lady had sexual intercourse with the petitioner for the first time on 13.08.2025 and it was only thereafter the petitioner allegedly had assured to marry the victim lady. Subsequently, victim lady has accompanied the petitioner to number of places and they had sexual intercourse. Even as per the averments made in the first information subsequently the marriage engagement ceremony between petitioner and victim girl was also confirmed. But for certain reasons, the marriage was not performed. Merely for the reason that the relationship



between the parties has failed it does not mean that all such relationships can be brought under criminality. Investigation of the case is now completed and charge sheet has been filed.

9. Petitioner, who has no other criminal antecedents is in custody from 10.07.2026. Considering the nature of allegations found against the petitioner in the first information as well as in the charge sheet, 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

The Criminal Petition is allowed. The petitioner is directed to be enlarged on bail in Crime No.185 of 2026 registered by Byadarahalli Police Station, Bengaluru City for the offence punishable under Section 69 of BNS, 2023, subject to the following conditions:



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