



CNR: KAHC010603632026

NC: 2026:KHC:48849
CRL.P No. 13603 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 9TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 13603 OF 2026

BETWEEN:

SMT. NIKITHA. V.
AGED ABOUT 34 YEARS,
W/O SRI PUNEETH N GOWDA,
D/O LATE VASANTH KUMAR,
R/AT NO. 19, 5TH CROSS,
DEVEGOWDA BLOCK, ADUGODI,
BENGALURU - 560 030

...PETITIONER

(BY SRI. CHETHAN N., ADVOCATE FOR
SRI. HARINATH M.S., ADVOCATE)

AND:

1. SMT. SHASHIKALA. H
AGED ABOUT 37 YEARS,
D/O HARISH G M
R/AT NO. 568, 14TH A MAIN,
MURTHYALAMMA TEMPLE,
HMT LAYOUT, MATTHKERE,
BENGALURU NORTH TALUK,
BENGALURU - 560 054
2. STATE OF KARNATAKA
BY ADUGODI POLICE STATION,
REP BY ITS SPP,
HIGH COURT OF KARNATAKA,
BANGALORE CITY - 560 001

...RESPONDENTS

(BY SRI. RAHUL RAI K., HCGP)



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THIS CRL.P IS FILED U/S.439(2) (FILED U/S.483(3) BNSS) CR.P.C BY THE ADVOCATE FOR THE PETITIONER PRAYING THAT THIS HONOURABLE COURT MAY BE PLEASED TO SET ASIDE/CANCEL THE FINAL ORDERS DATED 26.11.2024 PASSED IN CRL.P.NO.12203/2024 BY THIS HONBLE COURT IN CANCELLING THE BAIL ORDER GRANTED TO THE RESPONDENT NO.1.

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

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

This petition under Section 439(2) of the Code of Criminal Procedure is filed with a prayer to cancel the anticipatory bail granted to respondent No.1 herein by this Court in CrI.P.No.12203/2024 disposed of on 26.11.2024.

2. Heard the Learned counsel for the petitioner and learned High Court Government Pleader on behalf of respondent No.2-State.

3. Respondent No.1 had approached this Court in CrI.P.No.12203/2024 seeking anticipatory bail in Crime



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No.216/2024 registered by Adugodi Police Station, Bengaluru City for the offences punishable under Sections 498(A), 494, 420, 504, 506 read with Section 34 of the IPC and Sections 3 and 4 of Dowry Prohibition Act, 1961. In the said case, she was arrayed as accused No.2 and Puneeth Gowda, husband of the petitioner herein was arrayed as accused No.1.

4. This Court while granting anticipatory bail to respondent No.1 herein in Crl.P.No.12203/2024, in paragraph Nos.6 and 7 observed as follows:

"6. *The first informant is the wife of accused No.1 and their marriage was solemnized on 05.04.2013. From the wedlock, the couple have two children. It appears that the relationship between accused No.1 and the first informant got strained subsequently, and thereafter, she had left the company of her husband and had taken shelter in her parents house along with her children.*

7. *The allegation in the first information is that accused No.1 has married the petitioner herein though his marriage with the first informant is still subsisting. The material on record would go to show that accused No.1 has filed M.C.NO.3619/2023 before the Court of II Addl. Family Judge, Bengaluru, seeking decree of divorce. The present criminal case has been registered against accused No.1 and his family members. The allegation against the petitioner is that she married accused No.1 knowing well that his marriage with the first informant was still subsisting. The alleged offences are triable by the court of Magistrate and the maximum punishment for the alleged offences is imprisonment for a period of seven years.*



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petitioner is a lady aged about 35 years having no criminal antecedents. She has undertaken to cooperate with the police for the purpose of investigation. Under the circumstances, I am of the opinion that petitioner's prayer for grant of anticipatory bail is required to be answered affirmatively."

5. Learned counsel for the petitioner submits that he has now secured material to show that respondent No.1 has married accused No.1-Puneeth Gowda. He also submits that respondent No.1 has been threatening the petitioner and therefore, the order passed by this Court in Crl.P.No.12203/2024 granting anticipatory bail to respondent No.1 needs to be set aside.

6. FIR in the present case was registered invoking the offence punishable under Section 494 of the IPC. In the event, the petitioner has secured necessary documents to show that respondent No.1 has married accused No.1-Puneeth Gowda, the same is required to be produced before the trial Court to prove the charges against the accused person and, for the said reason, this Court cannot cancel the anticipatory bail granted to respondent No.1.



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7. The petitioner, who alleges that respondent No.1 has been threatening her, has not produced any material along with the petition, in support of her contention. Merely for the reason that the complainant has made an oral submission that the accused has threatened her, the order of bail granted to the accused cannot be cancelled. Under the circumstances, the following:

ORDER

The Criminal Petition is ***dismissed***.

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

SHS
List No.: 1 Sl No.: 2