

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HONOURABLE SRI JUSTICE N.TUKARAMJI

CRIMINAL PETITION No.11570 OF 2026

DATE : 04.08.2026

Between:

Harish Goud

...Petitioner

AND

The State of Telangana

...Respondent

ORDER:

This Criminal Petition is filed under Section 482 of the *Bharatiya Nagarik Suraksha Sanhita*, 2023 (for short, "BNSS"), seeking the relief of anticipatory bail.

2. The petitioner is arrayed as the sole accused in FIR No.636 of 2026 on the file of Madhapur Police Station, Cyberabad, registered for the offences punishable under Sections 69, 351(2) of *Bharatiya Nyaya Sanhita*, 2023 (for short, "BNS").

3. Heard Mr.S.M.Rizwan Akhtar, learned counsel for the petitioner and Mr.Syed Yasar Mamoon, learned Additional Public Prosecutor representing the respondent-State.

4.1. The prosecution case, in brief, is that the de facto complainant and the petitioner became acquainted while they were working at Brilliant Insurance Brokers. Subsequently, they entered into a relationship, which continued for about one year. During this period, the petitioner is alleged to have promised to marry the de facto complainant. Thereafter, both of them left their respective jobs and shifted to a co-living hostel at Madhapur, where they resided together for about three months. It is the prosecution's case that, during this period, the de facto complainant consented to a physical relationship with the petitioner on the strength of his promise to marry her.

4.2. However, in April 2026, the petitioner allegedly went to his native village and thereafter blocked all communication with her. Upon making enquiries, the de facto complainant came to know that the petitioner had become engaged to another woman. When confronted, the petitioner is stated to have assured her that he would convince his family members to agree to their marriage. Trusting this assurance, the de facto complainant remained silent and continued the relationship. During this period, she became pregnant. Subsequently, the de facto complainant came to know that the petitioner was scheduled to marry another woman on 13.05.2026. Based on her complaint, the present crime came to be registered.

5.1. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case on the basis of motivated and baseless allegations. It is further contended that, even according to the complaint, the

relationship between the petitioner and the de facto complainant was entirely consensual, and that they had voluntarily cohabited in a hostel. Learned counsel further submits that the relationship was never initiated or continued on the basis of a false promise of marriage for the purpose of establishing a physical relationship, as alleged by the prosecution, and that the petitioner never harboured any deceptive intention at any stage of the relationship.

5.2. It is further submitted that the petitioner and the de facto complainant, in the presence of their elders, amicably settled their disputes, pursuant to which the petitioner agreed to pay a sum of Rs.10,00,000/- to the de facto complainant. Learned counsel further submits that the petitioner is the sole breadwinner of his family, has no criminal antecedents, is willing to cooperate with the investigation, and undertakes to abide by any conditions that may be imposed by this Court. It is, therefore, prayed that the petitioner be granted anticipatory bail.

6.1. Per contra, the learned Additional Public Prosecutor opposed the application, contending that attempts to serve notice on the de facto complainant had remained futile, as she was found to be missing, and that a separate crime had also been registered in that regard. It is further submitted that notice has, therefore, been served on the mother of the de facto complainant.

6.2. The learned Additional Public Prosecutor further submits that there are specific allegations against the petitioner and that the averments in the complaint indicate that the petitioner induced the de facto complainant to enter into a physical relationship on the promise of marriage, but subsequently reneged on the said promise. It is further contended that the alleged settlement was never brought to the notice of the prosecution. Since the investigation is at a nascent stage, the custodial interrogation of the petitioner may be necessary for an effective investigation. Accordingly, it is prayed that the application be dismissed.

7. I have carefully considered the rival submissions and perused the material available on record.

8. The allegation against the petitioner is that he induced the de facto complainant to enter into a physical relationship by holding out a promise of marriage and, on the strength of such promise, allegedly subjected her to sexual exploitation. Whether the promise of marriage was false from its inception or whether the relationship subsequently failed on account of supervening circumstances are matters that can only be determined upon a full-fledged investigation and, ultimately, during trial on the basis of the evidence adduced by the parties.

9. At this stage, while considering an application for anticipatory bail under Section 482 of the BNSS, this Court is not expected to undertake a

meticulous examination of the merits of the prosecution case or record findings on disputed questions of fact. The Court is required to assess whether the custodial interrogation of the accused is necessary, whether there exists a likelihood of his absconding or tampering with the prosecution evidence, and whether the discretionary relief of anticipatory bail ought to be extended having regard to the nature of the accusations and the surrounding circumstances. (*Gurbaksh Singh Sibbia v. State of Punjab*, (1980) 2 SCC 565; *Sushila Aggarwal v. State (NCT of Delhi)*, (2020) 5 SCC 1).

10. In the present case, having regard to the chronology of events as narrated by the de facto complainant, the ages of the parties, and the admitted fact that they were acquainted for a considerable period and had voluntarily cohabited, the allegations essentially arise out of a relationship between two consenting adults. Whether the consent of the de facto complainant stood vitiated by a misconception of fact within the meaning of Section 28 of the BNS is a matter that necessarily requires appreciation of evidence and cannot be conclusively determined at this preliminary stage.

11. It is also not disputed that the petitioner is a permanent resident within the jurisdiction and has no material criminal antecedents brought to the notice of this Court. The petitioner has categorically undertaken to cooperate with the Investigating Officer by appearing as and when required, to make himself available for interrogation, and to abide by all such conditions as may be imposed by this Court. There is nothing on record to indicate that the

petitioner is likely to abscond, evade the investigation, influence witnesses, or tamper with the prosecution evidence. Having regard to the totality of the facts and circumstances, this Court is of the considered opinion that the petitioner has made out a fit case for the grant of anticipatory bail, subject to such conditions to secure his availability during the course of investigation and trial.

12. For the aforesaid reasons, this Criminal Petition is allowed, subject to following conditions.

(A) The petitioner/Accused shall surrender before the Station House Officer, Madhapur Police Station, Cyberabad on or before 19.08.2026. Upon such surrender or in the event of arrest the Station House Officer shall release him on bail on execution of a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties for a like sum each, to the satisfaction of the said officer.

(B) The petitioner shall appear before the Investigating officer on every Tuesday and Saturday between 10.00AM to 03.00PM, for a period of twelve (12) weeks from the date of his release on bail or until the filing of the final result, whichever is earlier.

(C) The petitioner shall remain available for investigation as and when required by the Investigating Officer and shall cooperate fully with the investigation.

(D) The petitioner shall furnish his complete residential address and contact details to the Investigating Officer and shall keep the same updated throughout the course of investigation.

(E) The petitioner shall not either directly or indirectly induce, threaten, influence, or contact any prosecution witness, nor shall he tamper with the prosecution evidence in any manner whatsoever.

(F) The petitioner shall strictly comply with all the conditions contemplated under Section 482(2) of the BNSS.

(G) Any wilful breach or violation of any of the aforesaid conditions shall render the petitioner liable to appropriate proceedings before the court below, including cancellation of bail, in accordance with the provisions of the BNSS and other applicable law.

13. It is made clear that any observations made herein are confined solely to the adjudication of the present application for anticipatory bail and shall not be construed as an expression on the merits of the case.

Miscellaneous applications, if any pending, shall stand closed.

Date: 04.08.2026

CHS

N.TUKARAMJI, J

THE HONOURABLE SRI JUSTICE N.TUKARAMJI

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