

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.6801 of 2025

ORDER:

This Criminal Petition is filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') by the petitioner, who is arrayed as accused, seeking bail in Crime No.96 of 2025 of Saidabad Police Station, Hyderabad, registered for the offence punishable under Sections 64(2)(m), 74, 115, 351(2) of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and Section 3(2)(va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 (for short 'SCs & STs (POA) Act').

2. The case of the prosecution in brief is that On 25-03-2025 at 21:30 hrs, the complainant submitted a written complaint alleging prolonged mental, physical, and sexual harassment by her former schoolmate, Harshit Kumar, since 2021. Initially, Harshit befriended her under the pretext of friendship and gradually began intruding into her personal and professional life. In 2022, during a hotel visit on his birthday, he attempted to get physical with her against her will. Upon her resistance, he caused damage to hotel property and fled, leaving her

to handle the situation and costs. Despite her efforts to block and avoid him, he reappeared after several months at her workplace (DLF, Gachibowli), resumed contact, and manipulated her emotionally. He gained her trust by posing as a caring companion and then exploited her sexually. He allegedly drugged her, recorded intimate content without consent, and used it to blackmail and control her. The complainant details repeated instances of forced intercourse, physical assault, and threats to her life and family. Harshit reportedly tracked her movements, harassed her at odd hours, and intimidated her with claims of criminal background and influence. The last incident occurred on 1st March 2025, when she was allegedly sexually assaulted at his residence. She emphasizes that there was no love, only sustained abuse and extortion over two years. Basing on the same, a case was registered in Crime No.96 of 2025.

3. Heard Mr. S.Chandrashekhar Yadav, learned counsel for the petitioner and Mr.Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for respondent-State.

4. Learned counsel for the petitioner submitted that the petitioner is innocent person and he did not commit the alleged offence and he was

falsely implicated in this crime. He further submitted that, even as per the allegations made in the complaint, the petitioner and the victim have known each other since childhood, and the victim herself stated that they were in a love affair. Therefore, the ingredients of Section 64(2)(m) of the BNS are not attracted against the petitioner. In so far as the other allegations are concerned, the petitioner has never abused the victim on the grounds of caste; hence, the provisions of Section 3(2)(va) of the SCs & STs (POA) Act are also not attracted against the petitioner. He further submitted that the other offences alleged against the petitioner are punishable with imprisonment of less than seven years. The petitioner was arrested on 26.03.2025 and has been in judicial custody for more than 81 days. He further submitted that the entire investigation is completed except filing of charge sheet. The petitioner is not having any criminal antecedents and is willing and ready to cooperate with the investigation and also ready to abide by the conditions, which are going to be imposed by this Court and hence, prayed for grant of bail.

5. *Per contra*, the learned Additional Public Prosecutor submitted that the petitioner has committed a grave offence and there are serious

allegations leveled against the petitioner. The investigation is under progress and the charge sheet has not been filed and if the petitioner is released on bail at this stage, he may tamper with the evidence and may threaten the witnesses, and hence, prayed to dismiss the petition.

6. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that the petitioner and the victim are known to each other since childhood. The petitioner was arrested on 26.03.2025 and since then he is in judicial custody. Even according to the learned Additional Public Prosecutor, 13 witnesses were already examined and the petitioner is not having any criminal antecedents.

7. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner/accused subject to the following conditions:

(i) The petitioner/accused shall execute a personal bond for a sum of Rs.30,000/-(Rupees Thirty Thousand only) with two sureties for a like sum each to the satisfaction of VII Additional Chief Metropolitan Magistrate, Hyderabad.

(ii) The petitioner/accused shall appear before the concerned SHO at 11.00 A.M. on every Monday, for a period of eight (8) weeks or till filing of charge sheet whichever is earlier, for the purpose of investigation and thereafter, as and when required.

(iii) After release, the petitioner/accused shall not contact the victim or her parents in any manner.

(iv) After his release, the petitioner/accused shall not interfere with the investigation in any manner and shall not influence any witnesses.

(v) After release, if the petitioner/accused indulges in similar offence, the respondent-State is entitled to file an application seeking cancellation of the bail granted by this Court in his favour.

(iv) The petitioner/accused shall abide by the conditions stipulated in Section 483 (3) of BNSS.

8. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

J. SREENIVAS RAO, J

Date:18.06.2025

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Dt: 18.06.2025

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