

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.13081 of 2025

ORDER:

This Criminal Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of pre-arrest bail to the petitioner, who is arrayed as accused in Crime No.860 of 2025 before the RGI Airport Police Station, Cyberabad Commissionerate.

2. The brief facts of the case are that on 18.09.2025, the defacto-complainant lodged a complaint before the RGI Airport Police, Cyberabad, stating that the petitioner, was her boyfriend who had performed a private nikah with her and thereafter entered into a physical relationship, resulting in her pregnancy. It was further alleged that the petitioner gave her pills causing an abortion, and later, along with his family members, harassed and threatened her when she sought legal marriage.

3. Heard Sri Mohd. Muzafferullah Khan, learned counsel appearing on behalf of the petitioner as well as Sri D. Arun

Kumar, learned Additional Public Prosecutor appearing on behalf of the respondent – State and Sri M.A. Mujeeb, learned counsel appearing on behalf of respondent No.2.

4. Learned counsel for the petitioner submitted that the petitioner was falsely implicated and that the allegations, even if taken at face value, did not attract the ingredients of Section 69 of the BNS, as the relationship between the parties was consensual and there was no deceit or false promise of marriage. He further submitted that the petitioner had not refused to marry the complainant, had no criminal antecedents, and was a law-abiding citizen. Therefore, he prayed the Court to grant pre-arrest bail to the petitioner by allowing this Criminal Petition.

5. On the other hand, the learned counsel for respondent No.2 submitted that the petitioner is not entitled to bail, as he had influenced the defacto-complainant under the guise of marriage and exploited her. He further submitted that if bail is granted, there is every likelihood of the petitioner threatening the defacto-complainant to withdraw the case, and that there exists a serious threat to her safety at the

hands of the petitioner. Therefore, he prayed the Court to dismiss the criminal petition.

6. In light of the submissions made by both the learned counsel and upon perusal of the material available on record, it appears from the averments in the complaint that both parties met in the month of June, and in September, the petitioner is stated to have performed marriage with the defacto-complainant by confessing “Qubool Hai” three times in the presence of two of his friends. Thereafter, they entered into a physical relationship, and the defacto-complainant became pregnant in the month of December. When she requested the petitioner to take appropriate steps, he allegedly gave her certain pills for abortion without her consent, due to which she fell seriously ill and remained hospitalized for about two months. After her discharge, it is stated that the petitioner requested her not to file any case, and subsequently, both of them went to Mumbai in the month of January. On a perusal of these facts, this sequence of events raises certain doubts regarding the allegations made against the petitioner. As per the version of the de facto-complainant, she was hospitalized in December

and thereafter travelled with the petitioner to Mumbai in January. Further, the contents of the complaint indicate that the parties allegedly performed marriage twice. Considering the facts and circumstances of the case, this Court deems it fit to grant pre-arrest bail subject to the following conditions:

- i. The petitioner shall surrender before the Station House Officer, RGI Airport Police Station, Vikarabad District, within two weeks from today, and on such surrender, the said Station House Officer shall release them on bail on executing a personal bond for Rs.25,000/- with two sureties, for the like sum each.
- ii. The petitioner shall abide by the other conditions stipulated in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023 and co-operate with the Investigating Officer in investigating the case.

iii. The petitioner shall appear before the concerned Investigating Officer on every Monday and Wednesday between 09:00 a.m, and 05:00 p.m., till the filing of the charge sheet and thereafter, as and when required.

7. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 23.10.2025
SAI

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