HC-KAR

NC: 2026:KHC:62799
CRL.P No. 13895 of 2026

CNR: KAHC010622412026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 13TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 13895 OF 2026

BETWEEN:

SRI. ABHISHEK ALIAS ARSHAD AHMED,
S/O SHID AHMAD,
SRIVASTAVA VAKIL VALI GALI,
AGED 25 YEARS,
NAI BASTI, LAKHIMPUR,
KHERI KHARI,
UTTAR PRADESH - 262701.

...PETITIONER

(BY SMT.KHAIRUNNISA KHATOON, ADVOCATE)

AND:

1. STATE BY WEST CEN POLICE STATION,
   REPRESENTED BY SPP,
   HIGH COURT BUILDINGS,
   BENGALURU – 560 001.

2. SRI. ANANTHA BABU C.D.,
   S/O LATE DHANANJAYA,
   AGED ABOUT 48 YEARS,
   R/O FLAT NO.G4, JC PEARL APARTMENT,
   JAYALAKSHMAMMA LAYOUT,
   NAGARBHAVI 2ND STAGE,
   BENGALURU – 560 072.
   (AMENDED VIDE ORDER DATED 28.10.2026)

...RESPONDENTS

(BY SRI. RAHUL RAI K., HCGP FOR R-1;
SRI. AMRUTHESH N.P., ADVOCATE FOR R-2)

Digitally signed by CHETAN B C
Location: High Court of Karnataka

THIS CRL.P IS FILED U/S 438 CR.P.C., (FILED U/S 482 OF BNSS) PRAYING TO GRANT ANTICIPATORY BAIL TO THE PETITIONER IN THE EVENT OF ARREST IN CR.NO.146/2026 OF WEST CEN POLICE STATION, BANGALORE, FOR THE OFFENCES PUNISHABLE UNDER SECTIONS 318(4) AND 319(2) OF THE BNSS, 2023 AND SECTION 66 (D) OF THE INFORMATION TECHNOLOGY ACT, 2000 AND RELEASE THE PETITIONER.

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 482 of the BNSS, 2023, is filed by the accused seeking anticipatory bail in Crime No.146/2026 registered by West CEN Crime Police Station, Bangalore, for offences punishable under Sections 318(4) and 319(2) of the BNS, 2023 and Section 66(D) of the Information Technology Act, 2000.

2. Heard the learned counsel for the parties.

3. FIR in Crime No.146/2026 was registered by West CEN Crime Police Station, Bangalore, for the aforesaid offences against the petitioner herein, based on the first information dated 11.07.2026 received from Anantha Babu C.D, S/o Dhananjayadu. Apprehending arrest in the case, petitioner had approached the jurisdictional Sessions Court in Crl.Misc.No.7488/2026 which was rejected on 11.08.2026. Therefore, he is before this Court.

4. Learned counsel for the petitioner having reiterated the grounds urged in the petition, submits that the petitioner is the victim of crime, he himself has lost money and has approached the police at Uttar Pradesh State. He is ready and willing to cooperate with the police. Accordingly, he prays to allow the petition.

5. *Per contra,* learned counsel appearing for the de facto complainant has opposed the bail application and submits that petitioner has received more than a sum of Rs.1,30,00,000/- directly to his bank account and he has not

given any explanation for the same. Only as a counter blast, he has registered a criminal case in Uttar Pradesh State after the present FIR was registered against him.

6. Learned HCGP submits that in spite of the repeated notices, petitioner has not cooperated with the Investigation Officer and his bank account statement makes out a *prima facie* case against him for the alleged offences.

7. In the first information dated 11.07.2026 submitted by the victim, he has alleged that petitioner has introduced himself over WhatsApp online call, as an officer of the bank and he represented to the victim that at low rate of interest, he would be sanctioning loans. On the pretext of sanctioning loan at low rate of interest, he allegedly had collected processing charge and other charges from the petitioner on various dates and for the period from 24.11.2024 to 20.03.2026, totally an amount of Rs.1,30,74,593/- was transferred from bank account of the first informant directly to the bank accounts of the petitioner herein. After FIR was registered against the

petitioner, police had verified the bank account statements and subsequently issued multiple enquiry notices to the petitioner.

8. Learned HCGP has submitted that the petitioner has not cooperated with the police for the purpose of investigation and the amount which was transferred by the first informant to the account of the petitioner, is not available in his bank accounts. After the present FIR was registered against the petitioner, it appears that he has approached the jurisdictional police at Uttar Pradesh State alleging that he was the victim of the fraud and he had lost amount to the tune of Rs.2,46,780/-. Since the petitioner is the direct beneficiary of the amount that was transferred to his account from the bank account of the first informant, as rightly contended by the learned HCGP, his custodial interrogation becomes necessary in the present case so as to find out the mode in which the crime was committed and also the involvement of other persons in the alleged fraud.

9. Under the circumstances, I am of the opinion that prayer made by the petitioner for grant of anticipatory bail cannot be entertained.

10. Accordingly, the petition is ***dismissed***.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE

CBC
List No.: 1 Sl No.: 56