HC-KAR

NC: 2026:KHC:59878
CRL.P No. 15364 of 2026

CNR: KAHC010680772026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 15364 OF 2026

BETWEEN:

RIZWANULLA SHARIFF
S/O LATE SHAIK FAKRUDDIN SAB
AGED ABOUT 69 YEARS
RESIDING AT NO.790, 2ND CROSS
R.K. HEGDENAGAR
BENGALURU - 560 077.

...PETITIONER

(BY SRI SHOUKATALI U BIRADAR, ADV.)

AND:

THE STATE OF KARNATAKA
REP. BY. STATE PUBLIC PROSECUTOR
BY SAMPIGE HALLI POLICE STATION
AMBEDKAR VEEDI, HIGH COURT BUILDING
BANGALORE - 560 001.

...RESPONDENT

(BY SRI CHANNAPPA ERAPPA, HCGP)

Digitally signed by PANKAJA S
Location: HIGH COURT OF KARNATAKA

THIS CRL.P IS FILED U/S 438 CR.P.C (U/S 482 BNSS) PRAYING TO GRANT ANTICIPATORY BAIL TO THE PETITIONERS IN THE EVENT OF ARREST BY THE RESPONDENT IN PCR.NO.21314/2025 ARISING OUT OF CR.NO.171/2026 REGISTERED BY SAMPIGEHALLI P.S., FOR THE OFFENCES P/U/S 318(2),336(1),336(3),340(2) OF BNS, 2023, PENDING BEFORE THE 41st ACJM, BENGALURU CITY.

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

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

Accused in Crime No.171/2026 registered by Sampigehalli Police Station, Bengaluru City for the offences punishable under Sections 318(2), 336(1), 336(3), 340(2) of BNS, 2023, is before this Court in this petition filed under Section 482 of BNSS, 2023 seeking anticipatory bail.

2. Heard the learned counsel for the parties.

3. FIR in Crime No.171/2026 was registered by Sampigehalli Police Station, Bengaluru City for the aforesaid offences against the petitioner herein, after the private complaint filed by one Sri Mohammad Faizulla, who was referred to the police by the jurisdictional Court of Magistrate. Apprehending arrest in the case, the petitioner had filed Crl.Misc.No.7243/2026 before the jurisdictional Sessions Court, which was rejected on 10.08.2026. Therefore, he is before this Court.

4. Material on record would go to show that the defacto complainant is the elder brother of the petitioner. A reading of the averments found in the private complaint would

go to show that the property, which is the subject matter of the dispute, originally belonged to Smt. Rehamat Khatun, who is the sister of the first informant and the complainant. The allegation in the private complaint is that after the death of Smt. Rehamat Khatun, by creating documents, the petitioner has claimed rights over the said property. The dispute between the parties appears to be purely civil in nature. The petitioner, aged 69 years, having no other criminal antecedents, has undertaken to co-operate with the police for the purpose of investigation.

5. Considering the aforesaid aspects of the matter, I am of the opinion that the prayer made by the petitioner for grant of anticipatory bail needs to be answered affirmatively subject to appropriate conditions. Accordingly, the following:

ORDER

i) The criminal petition is **allowed**.

ii) The respondent - Police or any other police in the State of Karnataka are directed to release the petitioner in the event of his arrest in Crime No.171/2026 registered by Sampigehalli Police Station, Bengaluru City for the offences

punishable under Sections 318(2), 336(1), 336(3), 340(2) of BNS, 2023, subject to the following conditions:

a) The petitioner shall appear before the Investigating Officer within 15 days from the date of receipt of the copy of this order and shall execute a personal bond for a sum of Rs.1,00,000/- with two sureties for the likesum to the satisfaction of the investigating officer.

b) The petitioner shall regularly appear before the Trial Court without fail unless exempted by the Trial Court for valid reasons.

c) The petitioner shall not tamper with the prosecution witness and he shall co-operate with the police for investigation and appear before them whenever called upon.

d) The petitioner shall not involve in similar offences in future.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE

SHS
List No.: 1 Sl No.: 100