HC-KAR
NC: 2026:KHC:63861
CRL.P No. 15658 of 2026
CNR: KAHC010702052026

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 18TH DAY OF NOVEMBER, 2026**

**BEFORE**

**THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY**

**CRIMINAL PETITION NO.15658 OF 2026**

**BETWEEN:**

1. KHALANDAR BABA @ BABA
S/O SHEKH SARADAR PASHA
AGED 24 YEARS
R/O KOMMARAGHATTA VILLAGE
GANDASI HOBLI, ARASIKERE TALUK
HASSAN DISTRICT.

(NOW IN JUDICIAL CUSTODY
DISTRICT PRISON, HASSAN 562 110)

...PETITIONER

(BY SRI. HASHMATH PASHA, SR. COUNSEL FOR
SRI. NASIR ALI, ADV.,)

**AND:**

1. STATE OF KARNATAKA BY
ARASIKERE TOWN POLICE STATION
ARASIKERE
REP. BY LEARNED STATE PUBLIC
PROSECUTOR, HIGH COURT OF
KARNATAKA, BENGALURU.

2. MOHAMMEDH RAFEEQ
S/O LATE SAHEB JOHN
AGED ABOUT 48 YEARS
R/AT 1ST CROSS, BOVI COLONY
KODI CAMP, TARIKERE TOWN
HASSAN DISTRICT-562 110.

...RESPONDENTS

(BY SRI. CHANNAPPA ERAPPA, HCGP FOR R1
SMT. PARINEETA S. CHANAL, ADV., FOR R2)

Digitally signed by BS RAVIKUMAR
Location: HIGH COURT OF KARNATAKA

CNR: KAHC010702052026

THIS CRL.P IS FILED U/S 439 OF CR.P.C. (FILED U/S 483 BNNS) PRAYING TO ENLARGE HIM ON BAIL IN CR NO.58/2026 OF ARASIKERE TOWN POLICE STATION, ARASIKERE WHICH IS PENDING IN SPL.C NO.310/2026 ON THE FILE OF THE HON'BLE ADDL. DISTRICT AND SESSIONS JUDGE, FTSC-I, HASSAN FOR THE OFFENCES P/U/S 4, 6 OF POCSO ACT 2012 AND U/S 137(2), R/W 3(5) OF THE BNS 2023 & ETC.

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 No.1 in Special Case No.310/2026 pending before the Court of Additional District and Sessions Judge, FTSC-I, Hassan, arising out of Crime No.58/2026 registered by Arasikere Town Police Station, Hassan, for the offences punishable under Sections 137(2), 54 read with Section 3(5) of Bharatiya Nyaya Sanhita (BNS), 2023, Section 4 and 6 of the Protection of Children from Sexual Offences Act, 2012, is before this Court in this petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking regular bail.

2. Heard the learned counsel for the parties.

3. FIR in Crime No.58/2026 was registered by Arasikere Town Police Station, Hassan, against unknown person for the offence punishable under Sections 137(2) of BNS, 2023, based on the first information dated 10.05.2026 received from respondent No.2, who is the father of victim girl aged 17 years 9 months as on the date of registration of the FIR. During the course of investigation, petitioner was arrested on 31.05.2026 and remanded to judicial custody. His bail application filed before the jurisdictional Sessions Court in Crl.Misc.No.997/2026 was rejected on 29.09.2026. Therefore, he is before this Court.

4. In the first information submitted by the father of the victim girl, it is alleged that victim girl was found missing from their house on 07.05.2026. The efforts made to trace her had failed. Therefore, he had approached the police on 10.05.2026. Subsequently, during the course of investigation, petitioner and victim girl were traced

together. Petitioner was arrested and remanded to judicial custody. The statement of the victim girl under Section 183 of BNSS, 2023, was recorded on 04.06.2026 by the jurisdictional Magistrate. In the said statement, victim girl has not made any allegation against the petitioner which would attract the alleged offence against him under the provisions of the POCSO Act. Under the circumstances, the following:

**ORDER**

The petition is ***allowed***. The petitioner is directed to be enlarged on bail in Special Case No.310/2026 pending before the Court of Additional District and Sessions Judge, FTSC-I, Hassan, arising out of Crime No.58/2026 registered by Arasikere Town Police Station, Hassan, for the offences punishable under Sections 137(2), 54 read with Section 3(5) of Bharatiya Nyaya Sanhita (BNS), 2023, Section 4 and 6 of the Protection of Children from Sexual Offences Act, 2012, subject to the following conditions:

a) Petitioner shall execute a personal bond for a sum of Rs.1,00,000/- with two sureties for the likesum, to the satisfaction of the jurisdictional Court;

b) The petitioner shall appear regularly on all the dates of hearing before the Trial Court unless the Trial Court exempts his appearance for valid reasons;

c) The petitioner shall not directly or indirectly threaten or tamper with the prosecution witnesses;

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

e) The petitioner shall not leave the jurisdiction of the Trial Court without permission of the said Court until the case registered against him is disposed off.

**Sd/-**
**(S VISHWAJITH SHETTY)**
**JUDGE**

BSR
List No.: 1 Sl No.: 43