HC-KAR

NC: 2026:KHC:60077
CRL.P No. 15629 of 2026

CNR: KAHC010705542026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 15629 OF 2026

(439(Cr.PC) / 483(BNSS))

BETWEEN:

SRI. DEEPAK KUMAR SETHI
S/O SRI. LAKSHMIDHAR SETHI,
AGED ABOUT 23 YEARS,
NO. 603, 7TH FLOOR,
ARKAVATHI BLOCK,
K.P.W.D. QUARTERS,
NEAR GST OFFICE,
BEHIND PASSPORT OFFICE,
KORAMANGALA,
BENGALURU-560 047.

...PETITIONER

(BY SRI. VARUN VEDACHALA, ADVOCATE FOR
SRI. M.V.VEDACHALA.,ADVOCATES)

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Location: HIGH COURT OF KARNATAKA

AND:

STATE OF KARNATAKA
BY SUDDAGUNTEPALYA
POLICE STATION,
BENGALURU CITY,
REPRESENTED BY
THE STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
BENGALURU - 560 001.

...RESPONDENT

(BY SRI. RAHUL RAI K., HCGP)

THIS CRL.P IS FILED U/S 439 CR.P.C (U/S 483 BNSS) PRAYING TO ENLARGE THE PETITIONER ON REGULAR BAIL IN SC.NO.1364/2026 ARISING OUT OF CR.NO.126/2026 REGISTERED BY SUDDAGUNTEPALYA P.S., BENGALURU CITY, FOR THE OFFENCES P/U/S 105,351(2),75(1) OF BNS, 2023, PENDING BEFORE THE LXVII ADDL. CITY CIVIL AND SESSIONS JUDGE, BENGALURU CITY (CCH-68) AND 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 in S.C.No.1364/2026 pending on the file of LXVII Additional City Civil and Sessions Judge, Bengaluru City (CCH-68) arising out of Crime No.126/2026 registered by the Suddaguntepalya Police Station, Bengaluru City, for the offences punishable under Sections 105, 351(2) and 75(1) of the Bharatiya Nyaya Sanhita, 2023 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.126/2026 was registered by Suddaguntepalya Police Station for offences punishable under Section 103(1), 351(2), 75(1) against the petitioner, based on

the first information dated 25.04.2026 received from M.Iqra Sadap, who is sister of deceased M Sheikh Azam E Dastagir. In the said case petitioner was arrested on 25.04.2026 and remanded to judicial custody. After completing the investigation charge sheet is now filed for the aforesaid offences. His bail application filed before the Trial Court in S.C.No.1364/2026 was rejected on 06.10.2026. Therefore, he is before this Court.

4. Perusal of the material on record would go to show that CW1 who is the sister of deceased was working in a Spa as a Therapist, in which the petitioner was working as a Manager. It appears that since CW1 was not properly working in the Spa, the management had threatened of removing her from employment. On the alleged date of incident, petitioner allegedly had misbehaved with CW1 and therefore she had informed about the same to her brother who is the deceased in the case. Subsequently, brother of CW1 and his friend CW3 came to the spot in which the petitioner was working and after quarreling with petitioner they started assaulting him. Petitioner in retaliation assaulted deceased M Sheikh Azam E Dastagir, brother of CW1 with a pair of scissors which was

available in the reception and as a result M Sheikh Azam E Dastagir suffered injury on his chest. Immediately, he was shifted to Jayadeva Hospital, but he was declared dead in the said Hospital. Under these circumstances, FIR was registered against the petitioner for aforesaid offences. However, after completing the investigation, charge sheet is now filed invoking offence punishable under Section 105 of BNS 2023. Postmortem report of the deceased would go to show that he had suffered only one injury on his chest as a result of assault made by the petitioner.

5. Considering the background in which the incident had taken place and also the fact that charge sheet is now filed for offence punishable under Section 105 of BNS 2023, I am of the opinion that prayer made by the petitioner for grant of regular bail needs to be answered affirmatively. Accordingly, the following:

ORDER

(i) The Criminal Petition is ***allowed***.

(ii) The petitioner is directed to be enlarged on bail in S.C.No.1364/2026 pending on the file of LXVII Additional City Civil and Sessions Judge, Bengaluru City (CCH-68) arising out of Crime No.126/2026 registered by the Suddaguntepalya Police Station, Bengaluru City, for the offences punishable under Sections 105, 351(2), 75(1) of BNS 2023, subject to the following conditions:

a) Petitioner shall execute personal bond for a sum of Rs.1,00,000/- (Rupees One Lakh only) 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

RU, List No.: 1 Sl No.: 85