HC-KAR

NC: 2026:KHC:64132
CRL.P No. 15994 of 2026

CNR: KAHC010720752026

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. 15994 OF 2026

BETWEEN:

ABDUL RASHEED @ KALU
S/O ABDUL KAREEM
AGED ABOUT 34 YEARS
R/AT NEAR MADHEENA MASJID
SHAHINSHA NAGAR, KOLAR
KARNATAKA - 563 101.

...PETITIONER

(BY SRI SANTHOSH T, ADV.)

AND:

STATE OF KARNATAKA
BY KOLAR TOWN POLICE
REPRESENTED BY
STATE PUBLIC PROSECUTOR
HIGH COURT BUILDING
BANGALORE - 560 001.

...RESPONDENT

(BY SRI CHANNAPPA ERAPPA, HCGP)

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Location: HIGH COURT OF KARNATAKA

THIS CRL.P IS FILED U/S 439 CR.P.C (U/S 483 BNSS) PRAYING TO ENLARGE THE PETITIONER ON REGULAR BAIL IN CR.NO.53/2026 REGISTERED BY KOLAR TOWN P.S. AND IN WHICH CHARGE SHEET LAID WHICH IS NUMBERED AS SC.NO.141/2026, PENDING BEFORE THE II ADDL. DISTRICT AND SESSIONS JUDGE, AT KOLAR, FOR THE OFFENCE P/U/S 103(1) OF BNS, 2023.

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

CNR: KAHC010720752026

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

1. Accused in SC No.141/2026 pending before the Court of II Addl. District and Sessions Judge, Kolar, arising out of Crime No.53/2026 registered by Kolar Town Police Station, Kolar, for the offence punishable under Section 103(1) of BNS, 2023, is before this Court in this petition filed under Section 483 of BNSS, 2023, seeking regular bail.

2. Heard the learned counsel for the parties.

3. FIR in Crime No.53/2026 was registered by Kolar Town Police Station, Kolar, for the aforesaid offence against petitioner herein based on the first information dated 28.04.2026 received from Khadeer Khan S/o Ejaz Khan. In the said case, petitioner was arrested on 29.04.2026 and remanded to judicial custody. After completing investigation, charge sheet is filed against him for the aforesaid offence. Bail application filed by him before the Trial Court in Crl.Misc.No.628/2026 was rejected on 22.08.2026. Therefore, he is before this Court.

4. A reading of the first information as well as the charge sheet, which is filed in the present case would reveal that on

the intervening night of 27.04.2026 and 28.04.2026 at about 01:10 a.m. petitioner had parked his auto rickshaw bearing Reg.No.KA08-A0079 on the middle of the road near Sri Lakshmi Bar and Restaurant within the jurisdiction of Kolar Town Police Station.

5. Deceased Salman Pasha and his friends CW2 Nawaz Pasha and CW3 Syed Jameel, who came in a two wheeler, allegedly quarrelled with the petitioner for the reason that he had parked the autorickshaw in the middle of the road. Petitioner, therefore, assaulted Salman Pasha with a knife which he had, causing minor injury. Thereafter, Salman Pasha summoned CW1 to the spot and he also damaged the front glass of the autorickshaw belonging to the petitioner. Therefore, petitioner allegedly assaulted Salman Pasha with a knife which he had, on his back and caused injuries. As a result of the said injury, Salman Pasha had died at the spot of crime.

6. The incident in question had taken place after Salman Pasha and his friends had quarrelled with the petitioner for the reason that he had parked his autorickshaw in the middle of the road. Thereafter, Salman Pasha allegedly had damaged the

front glass of the autorickshaw belonging to the petitioner and it appears that petitioner, who got enraged assaulted him with a knife.

7. Post mortem report of the deceased would go to show that deceased had one stab wound on his chest and other four simple injuries on his body. CW1, who is the relative of the deceased and also the alleged eye witness has stated that petitioner had stabbed the deceased on his back. Even as per the charge sheet allegations, petitioner allegedly had stabbed the deceased with a knife on his back. Grievous injury found on the body of the deceased does not correspond to the alleged assault made by the petitioner. Petitioner, who has no other criminal antecedents is in custody for the last more than six months. Investigation of the case is completed and charge sheet is filed. Accordingly, the following order:-

8. The petition is allowed. The petitioner is directed to be enlarged on bail in SC No.141/2026 pending before the Court of II Addl. District and Sessions Judge, Kolar, arising out of Crime No.53/2026 registered by Kolar Town Police Station, Kolar, for

the offence punishable under Section 103(1) of BNS, 2023, 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

DN
List No.: 1 Sl No.: 53