HC-KAR

NC: 2026:KHC:62002
CRL.P No. 16320 of 2026

CNR: KAHC010737102026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 6TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 16320 OF 2026

BETWEEN:

1. T. SHAMEEL AHMED
   S/O ABDUL SUBHAN T
   AGED ABOUT 54 YEARS
   R/O NO.179, 2ND MAIN ROAD,
   SHABARI NAGAR, R.K. HEGDE NAGAR,
   BENGALURU, KARNATAKA - 560 077.

2. MOHAMMED ASHFAQUE ALAM,
   S/O MD RUSTAM ALI
   AGED ABOUT 38 YEARS,
   R/O NO.62/155, 1ST FLOOR,
   KANNUR VILLAGE, BIDARAHALLI HOBLI,
   BENGALURU, KARNATAKA - 560 077.

...PETITIONERS

(BY SRI. RAMULA K, ADVOCATE)

Digitally signed by NANDINI D
Location: HIGH COURT OF KARNATAKA

AND:

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

...RESPONDENT

(BY SRI. RAHUL RAI K, HCGP)

THIS CRL.P IS FILED U/S 438 OF CR.PC (FILED U/S 482 BNNS) PRAYING TO ENLARGE THE PETITIONERS/ACCUSED NO.2 AND 3 ANTICIPATORY BAIL IN THE EVENT OF THEIR ARREST U/S 482 OF BNSS, ARISING OUT OF CRIME NO. 289/2026 OF SAMPIGEHALLI PS, BEFORE THE HON'BLE 4TH ADDITIONAL. CJM COURT, NRUPATUNGA ROAD, BANGALORE CITY FOR OFFENCES PUNISHABLE UNDER SECTIONS 316(2), 318(4), 319(1), 336(3), 338, 339, 352, 351(2) AND 61(2) OF BHARATIYA NYAYA SANHITA, 2023 JUSTICE AND EQUITY.

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 Nos.2 and 3 in Crime No.289/2026 registered by Sampigehalli Police Station for offences punishable under Sections 316(2), 318(4), 319(1), 336(3), 338, 339, 352, 351(2) and 61(2) of BNS, 2023 are 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.289/2026 was registered by Sampigehalli Police Station, Bengaluru after the private complaint filed before the Court of Jurisdictional Magistrate in PCR No.20525/2025 by M/s The Sun Enterprises and others was referred to the police by the learned Magistrate. Apprehending arrest in the said case, petitioners had approached the Jurisdictional Sessions Court seeking anticipatory bail since the same was dismissed they are before this Court.

4. A reading of the averments found in the first information would reveal that accused are the partners of the complainant. It appears that there is a dispute between the partners and the parties are already before the arbitrator in a proceedings initiated under Section 9 of the Arbitration and Conciliation Act.

5. Reading of the averments found in the private complaint would indicate that dispute between the parties arise out of a partnership and the said dispute is primarily civil in nature. Petitioners have undertaken to co-operate

with the police for the purpose of investigation. Under the circumstances, the following:-

ORDER

The Criminal Petition is ***allowed***. The respondent - Police or any other police in the State of Karnataka are directed to release the petitioners in the event of their arrest in Crime No.289/2026 registered by Sampigehalli Police Station, Bengaluru for the offences punishable under Sections Sections 316(2), 318(4), 319(1), 336(3), 338, 339, 352, 351(2) and 61(2) of BNS, 2023, subject to the following conditions:

1. The Petitioners 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/- each with two sureties for the likesum to the satisfaction of the investigating officer.

2. Petitioners shall regularly appear before the Trial Court without fail unless exempted by the Trial Court for valid reasons.

3. Petitioners shall not tamper with the prosecution witnesses and they shall co-operate with the police for investigation and appear before them whenever called upon.

4. The petitioners shall not involve in similar offences in future.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE

VS
List No.: 1 Sl No.: 71