

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.3957 OF 2026

DATE: 24.03.2026

BETWEEN:

Himanshu Vishwakarma.

... Petitioner/
Accused.

And

The State of Telangana,
represented by its Public Prosecutor
High Court for the State of Telangana
Hyderabad
Through P.S.Jawaharnagar.

... Respondent

ORDER

This Criminal Petition is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of pre-arrest bail to the petitioner, who is arrayed as accused in Crime No.220 of 2026 on the file of Jawaharnagar Police Station, Rachakonda Commissionerate, registered for the offence punishable under Section 69 of the BNS.

2. Heard Smt. L.Pranathi Reddy, learned counsel for the petitioner-accused and Sri M.Ramachandra Reddy, learned Additional Public Prosecutor appearing for the respondent-State.

3. The case of the prosecution is that the *de facto* complainant came to the police station on 12.02.2026, wherein it is stated that she is native of Uttar Pradesh and she got married one Ram Nivas 8 months back in the presence of their family elders. During their wedlock, they were blessed with one daughter and one son. About three months back she got divorce and living alone in this State. About two years back, she met one Himanshu, R/o CRPF and they fell in love. He promised to marry her and due to which she had physical relationship with him in her rented house in the month of August and September, 2024. Due to which, she got pregnancy two times. But he got them aborted. Now, the said Himanshu is not agreeing to marry her and threatening her. Hence, she requested to take necessary action against the said complaint. Basing on the same, the police registered a case for the aforesaid offence.

4. Learned counsel for the petitioner-accused would submit that the petitioner is innocent of the offence alleged against him; that as on the date of alleged incident i.e., in the month of September, 2024, that the *de facto* complainant is a married women and therefore, there cannot be sexual intercourse with a promise of marriage; that when both the parties are aware about the subsistence of marriage, there

cannot be a false promise of marriage and no offence is made out under Section 69 of the BNS and that the allegation is pertains to August/September, 2024 and whereas the complaint has been filed after a delay of 18 months without any explanation of such delay and therefore, prays this Court to grant Anticipatory bail to the petitioner.

5. On the other hand, learned Additional Public Prosecutor opposed the same and submits that the offence alleged against the petitioner serious and grievous in nature and hence, he prays to dismiss the petition.

6. Considering the submissions made by learned counsel for both parties and perusal of the material on record, it appears that the *de facto* complainant is already a married person and having two children as on the date of alleged incident, which was occurred in the year 2024. Further she obtained divorce three months ago but she did not file either order copy of original petition along with the complaint. Considering the above aspects, this Court is inclined to grant bail to the petitioner subject to the following conditions:

- (i) The petitioner-accused shall surrender before the Station House Officer, Police Station, Jawaharnagar Police Station, within two (2) weeks from today, and on such surrender, the petitioner shall be released on bail on executing a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties for a like sum each.

(ii) On such release, the petitioner shall appear before the concerned Investigating Officer on every Wednesday between 09:00 a.m, and 05:00 p.m., for a period of eight (8) weeks or till the filing of the charge sheet, whichever is earlier, and thereafter, as and when required.

(iii) The petitioner shall abide by the other conditions stipulated in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023 and co-operate with the Investigating Officer in investigating the case.

7. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 24.03.2026

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