IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HONOURABLE SRI JUSTICE N.TUKARAMJI

CRIMINAL PETITION No.17912 OF 2026

(CNR No. HBHC010750912026)

DATE: 13.11.2026

Between :

T.Venkata Pawan Kumar.

... Petitioner-accused

AND

The State of Telangana and another.

... Respondents

ORDER:

This Criminal Petition is filed under Section 482 of Bharatiya Nyaya Suraksha Sanhita, *2023* (for short, 'BNSS'), seeking the relief of anticipatory bail.

2. The petitioner is arrayed as sole accused in Crime No.1244 of 2026 on the file of the L.B.Nagar Police Station, Ranga Reddy District, facing accusations under Sections 69, 74, 79, 351(2), 352, 318(4) of the *Bharatiya Nyaya Sanhita, 2023* (for short 'BNS').

3. Heard Mr.Krishna Reddy Putta, learned counsel for the petitioner and Mr.Syed Yasar Mamoon, learned Additional Public Prosecutor, representing the respondent No.1-State and Mr.Shanath Reddy, learned counsel for the respondent No.2/de facto complainant.

4.1. The prosecution case, in brief, is that respondent No. 2 lodged a report dated 21.09.2026, alleging that she came into contact with the petitioner herein through a social media platform, namely Instagram. Thereafter, the petitioner allegedly made a false promise to marry her and, on that pretext, established a physical relationship with her. According to the de facto complainant, she had never given her free and voluntary consent to such a relationship and that her consent, if any, was solely on the basis of the petitioner's assurance that he would marry her.

4.2. It is further alleged that, upon going through the petitioner's phone, the de facto complainant came to know that the petitioner was flirting with other women and, therefore, had no genuine intention of marrying her. She also alleges that the petitioner had misrepresented his age to be 30 years, whereas, according to his Aadhaar Card, he was 38 years of age. Despite her repeated requests to the petitioner to marry her and to bring his parents to proceed with the marriage, the petitioner allegedly avoided and declined to do so. Eventually, he informed her that he would not marry her and instead proposed that they continue their relationship as friends. On the basis of the aforesaid report, a crime came to be registered against the petitioner.

5.1. Learned counsel appearing for the petitioner submits that the petitioner has been falsely implicated in the present case. He contends that the petitioner is a professional by occupation and that there is a

considerable age difference between the petitioner and the de facto complainant. It is further submitted that, even if the allegations contained in the complaint are taken at face value, the acquaintance and relationship between the petitioner and the de facto complainant continued for a considerable period. Learned counsel also draws the attention of this Court to the delay in lodging the complaint and submits that no plausible explanation has been furnished for such delay.

5.2. Learned counsel further submits that the allegation that the petitioner obtained the consent of the de facto complainant for establishing a physical relationship by making a false promise of marriage, thereby inducing a misconception of fact, is wholly unfounded. He contends that the de facto complainant is an educated major and that the circumstances, as narrated in the complaint, do not prima facie establish that her consent was obtained solely on the basis of a promise of marriage.

5.3. It is further contended that, ex facie, the ingredients of the offence punishable under Section 69 of the BNS, are not attracted to the facts and circumstances of the present case. Learned counsel submits that, for attracting the said provision, there must be material to prima facie indicate that the promise of marriage was made without any intention of fulfilling it and that such dishonest intention existed at the inception of the promise itself. A subsequent failure to fulfil a promise to marry, by itself, would not be sufficient to constitute the offence. In support of the

said contention, learned counsel places reliance upon the judgment of the Hon'ble Supreme Court in *Kunal Rameshbhai Kalyani v. State of Gujarat and Another*, 2026 SCC OnLine SC 18188, and submits that a mere breach of a promise to marry, in the absence of material indicating dishonest intention from the inception, cannot ipso facto constitute an offence punishable under Section 69 of the BNS.

5.4. Learned counsel further submits that the other offences alleged against the petitioner are punishable with imprisonment for a term of less than seven years. It is contended that the circumstances relied upon by the de facto complainant, including the alleged misrepresentation regarding the petitioner's age and his alleged interactions or flirtations with other women, do not, by themselves, constitute sufficient material to establish the offence of cheating or attract the penal consequences contemplated under Section 69 of the BNS.

5.5. Learned counsel, however, submits that the petitioner is willing to cooperate with the investigation and abide by any conditions that may be imposed by this Court while granting relief. It is further contended that his custodial interrogation is neither necessary nor warranted in the facts and circumstances of the case. As the petitioner apprehends arrest in connection with the crime, learned counsel prays that this Court may be pleased to grant anticipatory bail.

6. Per contra, learned Additional Public Prosecutor opposes the petition and submits that the investigation is still in progress. It is

contended that the allegations levelled against the petitioner are specific and serious in nature. According to the prosecution, the petitioner induced the de facto complainant to enter into a physical relationship by making a promise of marriage and subsequently refused to marry her. It is further submitted that the custodial presence of the petitioner may be required for the purpose of conducting an effective investigation and that granting anticipatory bail at this stage may impede the investigation. On the aforesaid grounds, learned Additional Public Prosecutor prays for dismissal of the petition.

7.1. Learned counsel appearing for the de facto complainant/respondent No. 2 also opposes the petition and submits that the de facto complainant is a medical student who came into contact with the petitioner through Instagram. It is alleged that the petitioner, by resorting to deceitful inducement and making a false promise of marriage, misrepresented the facts and thereby obtained her consent to establish a physical relationship.

7.2. Learned counsel further submits that, during the course of their interaction and on the basis of the material subsequently gathered by the de facto complainant, she came to know that the petitioner had no intention of marrying her. Despite her requests and insistence that the petitioner proceed with the marriage, he ultimately declined to do so. It is, therefore, contended that the consent of the de facto complainant to the physical relationship was founded exclusively upon the petitioner's

promise of marriage and that, but for such assurance, she would not have consented to the relationship.

7.3. Learned counsel further submits that the allegations disclose a clear prima facie case against the petitioner and that the de facto complainant would not have ordinarily resorted to legal proceedings seeking redressal of her grievance without there being substance in the allegations. It is also contended that having regard to the petitioner's social status and influence in the society, there is every likelihood of his influencing the material witnesses and tampering with the evidence if he is enlarged on anticipatory bail. On these grounds, learned counsel appearing for respondent No. 2 also prays for dismissal of the petition.

8. I have carefully considered the rival submissions and perused the materials available on record.

9. The gravamen of the allegations against the petitioner is that he induced the de facto complainant to enter into a physical relationship on the promise of marriage and subsequently refused to marry her after the relationship had continued for a considerable period.

10. It is well settled that, while considering an application for anticipatory bail, the Court is not required to undertake a meticulous examination of the prosecution material or a detailed appreciation of the evidence. However, the nature and gravity of the accusation, the specific role attributed to the accused, the necessity of custodial interrogation

and the possibility of influencing witnesses or tampering with evidence are relevant considerations.

11. Insofar as the allegation under Section 69 of the BNS is concerned, the distinction between a promise of marriage made without any intention of fulfilling it from its inception and a subsequent failure to honour a genuine promise assumes significance. In *Pramod Suryabhan Pawar v. State of Maharashtra*, (2019) 9 SCC 608, the Hon'ble Supreme Court explained that the existence of dishonest intention at the inception of the promise and the direct nexus between such promise and the woman's decision to engage in the sexual relationship are relevant considerations. Though rendered in the context of the IPC, the said principle provides guidance in examining allegations founded upon a promise of marriage.

12. In the present case, whether the petitioner had a dishonest intention from the inception, whether the promise of marriage was a mere deception to induce the de facto complainant into a physical relationship and whether the alleged misrepresentation regarding his age, considered along with the other circumstances, attracts the ingredients of Section 69 of the BNS are matters requiring investigation.

13. The nature and duration of the relationship, the circumstances surrounding the alleged promise and the subsequent refusal to marry are also relevant aspects. These issues cannot be conclusively determined at the present interlocutory stage. Further, the fact that the de facto

complainant is an adult and educated person is only one of the surrounding circumstances and cannot, by itself, establish or negate the allegation of deception or determine the voluntariness of her consent.

14. In the present case, though the allegations are serious, the petitioner has expressed his willingness to cooperate with the investigation and make himself available for interrogation. Having regard to the material presently available on record, no specific or compelling circumstance has been demonstrated to indicate that his custodial interrogation is indispensable for an effective investigation. In view of the foregoing, this Court is of the considered view that the petitioner's apprehension of arrest can be adequately addressed by imposing appropriate conditions. Accordingly, this Court is inclined to grant anticipatory bail to the petitioner, subject to appropriate conditions.

15. For the afore said, the Criminal Petition is allowed, subject to following conditions.

(A) The petitioner/accused shall surrender before the Station House Officer, L.B.Nagar, Ranga Reddy District, on or before 28.11.2026. Upon such surrender or in the event of arrest the Station House Officer shall release him on bail on execution of a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties for a like sum each, to the satisfaction of the said officer.

(B) The petitioner shall appear before the Investigating officer on every Tuesday and Saturday between 10.00AM to 03.00PM, for a period of twelve (12) weeks from the date of his release on bail or until the filing of the final result, whichever is earlier.

(C) The petitioner shall remain available for investigation as and when required by the Investigating Officer and shall cooperate fully with the investigation.

(D) The petitioner shall furnish his complete residential address and contact details to the Investigating Officer and shall keep the same updated throughout the course of investigation.

(E) The petitioner shall not either directly or indirectly induce, threaten, influence, or contact any prosecution witness, nor shall he tamper with the prosecution evidence in any manner whatsoever.

(F) The petitioner shall strictly comply with all the conditions contemplated under Section 482(2) of the BNSS.

(G) Any willful breach or violation of any of the aforesaid conditions shall render the petitioner liable to appropriate proceedings before the court below, including cancellation of bail, in accordance with the provisions of the BNSS and other applicable law.

16. It is made clear that any observations made herein are confined solely to the adjudication of the present application for anticipatory bail

and shall not be construed as an expression on the merits of the case. Miscellaneous applications, if any pending, shall stand closed.

N.TUKARAMJI, J

Date: 13.11.2026
mmr

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