



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

CRIMINAL PETITION No. 1060 OF 2026 (439(Cr.PC) /
483(BNSS))

BETWEEN:

1. MR SYED ABBAS @ ABBAS
S/O. LATE. SYED IMTIYAZ
AGED ABOUT 42 YEARS
RESIDING AT No.05
MBS MANSION APARTMENT
15TH CROSS, GOVINDPURA MAIN ROAD
BANGALORE-560 045.
2. MOHAMMED HANEEF @ HANEEF
S/O. MOHAMMED AZAM
AGED ABOUT 34 YEARS
R/A. No.45, 12TH CROSS
NEAR KOUSAR MASZID, RASHAD NAGAR
ARABIC COLLEGE POST
GOVINDPURA MAIN ROAD
BANGALORE-560 045.
RASHAD NAGAR, GOVINDPURA
BENGALURU-560 045.



...PETITIONERS

(BY SRI K. RAMA SINGH, ADVOCATE)

AND:

1. STATE OF KARNATAKA
BY GOVINDAPURA POLICE STATION
REPRESENTED BY STATE PUBLIC PROSECUTOR,



HIGH COURT COMPLEX
BENGALURU - 560 001.

...RESPONDENT

(BY SRI MOHD. AYUB ALI, ADDL. SPP)

THIS CRL.P IS FILED UNDER SECTION 439 Cr.P.C. (FILED UNDER SECTION 483 BNNS) PRAYING TO ENLARGE THE PETITIONERS ON BAIL IN CRIME No.127/2025 AND IN S.C. No.1220/2025 FOR THE ALLEGED OFFENCES PUNISHABLE UNDER SECTIONS 103(1), 190, 49, 61(2), (a) 241 R/W 3(5) OF BNS-2023.

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

CORAM: HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

ORAL ORDER

1. This petition is filed by accused Nos. 1 and 2 under Section 483 of BNSS praying to grant bail in Crime No. 127/2025 of Govindapura Police Station registered for offence under Sections 103(1), 190, 49, 61(2)(a), 241 read with Section 3(5) of BNS pending in S.C. No. 1220/2025 on the file of LXXIV Additional City Civil and Sessions Judge, Bengaluru (CCH-75).

2. Heard learned counsel for petitioners and learned Additional SPP for respondent - State.



3. Learned counsel for petitioners would contend that accused No. 3 has been granted bail by this Court by order dated 19.01.2026 passed in CrI.P. No. 17324/2025. Petitioners are similarly placed to that of accused No. 3 who has been granted bail and therefore they are entitled for grant of bail on the ground of parity. Accused No. 1 was not present on the spot at the time of incident. Allegation against him is conspiracy with accused Nos. 2 to 4 to kill the deceased. Case for the prosecution is based on circumstantial evidence. As chargesheet is filed, petitioners are not required for further custodial interrogation. With this he prayed to allow the petition.

4. Per contra learned Additional SPP would contend that accused Nos. 1 to 4 conspired to kill the deceased as he had betrayed their friendship by marrying wife of accused No. 1 when he was in judicial custody. The movement of two persons who got down from Autorickshaw has been captured in CCTV and CCTV footage has been seized. The offence alleged against the



petitioners is a heinous offence punishable with death or imprisonment for life. Petitioner No. 1 - accused No. 1 is having criminal antecedents and involved in three cases. With this he prayed to dismiss the petition.

5. Having heard learned counsel for the parties, this Court has perused the chargesheet and other materials placed on record.

6. This Court while granting bail to accused No. 3 in the order dated 19.01.2026 passed in Crl.P. No. 17324/2025 has observed as under:

"6. The accusation in column-17 of the charge sheet is that, the deceased Irfan Khan had developed an illicit intimacy with the wife of accused No.1 and subsequently he married her when accused No.1 was in the judicial custody. The same was informed by accused Nos.3 and 4 to accused No.1. The deceased and accused Nos.1 to 4 are friends. As the deceased has betrayed the friendship, they intended to take revenge against him and therefore they conspired. In furtherance of the conspiracy,



accused No.4 took accused Nos.2 and 3 in his autorikshaw to the spot, where accused No.2 and 3 got down from autorikshaw and assaulted the deceased with a long chopper on his head and face and committed his murder. The case of the prosecution is based on circumstantial evidence. There is a recovery of autorikshaw belonging to accused No.4 wherein three blood stained shirts of the accused persons and weapons used have been seized. There is a CCTV footage contains movement of two persons getting down from autorikshaw and assaulting the deceased. The said two persons are not identified in the said CCTV footage. As the case of the prosecution is based on circumstantial evidence, the prosecution has to prove each of the circumstances. The petitioner is in judicial custody since 25.04.2025 and as the charge sheet is filed, he is not required for further custodial interrogation. There are no criminal antecedents of the petitioner."

7. The accusation against accused Nos. 2 and 3 is that in furtherance of the conspiracy, they went in the



Autorikshaw of accused No. 4 with deadly weapons, got down from the Autorikshaw and assaulted the deceased with a long chopper on his head and face and committed his murder. Considering the same, the accusation against both accused No. 2 and 3 is the same. The accusation against accused No. 1 is that he conspired with accused Nos. 2 to 4 to kill the deceased as the deceased had betrayed their friendship and married his wife when he was in judicial custody in some other case. There is no allegation that petitioner No. 1 - accused No. 1 was present on the spot at the time of incident.

8. Considering the above aspects, petitioners are entitled for grant of bail on the ground of parity. As chargesheet is filed petitioners are not required for further custodial interrogation.

9. Considering the above aspects the petitioners have made out case for grant of bail with conditions

In the result following;



ORDER

Petition is allowed. Petitioners are granted bail in Crime No. 127/2025 of Govindapura Police Station subject to following conditions.

- I. Petitioners shall execute a personal bond for a sum of Rs.1,00,000/- each with one surety for the like-sum to the satisfaction of the Jurisdictional Court.
- II. Petitioners shall not tamper the prosecution witnesses either directly or indirectly.
- III. Petitioners shall appear before the trial Court on all dates of hearing unless exempted by the Court and cooperate for speedy disposal of the case.

**Sd/-
(SHIVASHANKAR AMARANNAVAR)
JUDGE**

LRS
List No.: 1 Sl No.: 42
Ct.sm