



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. 10969 OF 2025

(439(Cr.PC) / 483(BNSS))

BETWEEN:

1. ASIF,
S/O LATE.SHABBIR,
AGED ABOUT 29 YEARS
R/AT NO.02, 8TH CROSS
SHIVASHAKATHI NAGAR
R.B.I LAYOUT ROAD
CHUNCHAGHATTA MAIN ROAD
KONANAKUNTE POST
BENGALURU - 560078.

...PETITIONER

(BY SRI.MANOJ S N, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
BY K.S.LAYOUT POLICE STATION
BENGALURU
REP.BY STATE PUBLIC PROSECUTOR
HIGH COURT COMPLEX
BENGALURU-560001

...RESPONDENT

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





THIS CRL.P IS FILED UNDER SECTION 439 CR.PC (FILED U/S 483 BNSS) PRAYING TO ENLARGE HIM ON REGULAR BAIL IN S.C.NO.484/2025 (CR.NO.10/2025) FOR THE ALLEGED OFFENCE PUNISHABLE UNDER SECTIONS 109, 115(2), 118(2), 352 OF BNS OF K.S.LAYOUT POLICE PENDING ON THE FILE OF THE 30TH A.C.J.M BENGALURU.

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

CORAM: HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

ORAL ORDER

This petition is filed by sole accused under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 praying to grant bail in SC No.484/2025 arising out of Crime No.10/2025 of Kumaraswamy Layout Police Station registered for the offences punishable under Sections 109, 115(2), 118(2), 352 of Bharatiya Nyay Sanhita pending on the file of the learned LXXI Additional Chief Judicial Magistrate, Bengaluru City (CCH-72).

2. Heard the learned counsel for petitioner and the learned Additional State Public Prosecutor for respondent/State.



3. The learned counsel for petitioner would contend that the petitioner went to the house of CWs.1 and 2 to request his wife/CW2 to come along with him to his house. At that time, CW2 has refused, and therefore the petitioner has assaulted her and her mother/CW1. There was no intention on the part of the petitioner to kill them. The grievous injuries stated to have been sustained by CW1 and CW2 on their fingers/hands and not on vital parts. The petitioner is having two children to look after. As the charge sheet is filed, the petitioner is not required for further custodial interrogation. With this, he prayed to allow the petition.

4. Per contra, the learned Additional State Public Prosecutor for respondent/State would contend that CWs.3 to 6 are eye witnesses to the incident, and their statements are recorded under Section 183 of BNSS. CWs.3 to 6 have specifically stated the acts of this petitioner assaulting CW1 and CW2 with chopper on head and back etc. CWs.3 to 6 are neighbours of CW1 and CW2.



CW1 has sustained three injuries. Out of them, two are grievous in nature, and CW2 has sustained one grievous injury and three simple injuries. The assault by the petitioner is on vital parts i.e. head and neck of CW2 and that itself indicates his intention to kill her. The charge sheet materials show a prima facie case against the petitioner for the offences alleged against him. One of the offences alleged is punishable with imprisonment for life. If the petitioner is released on bail, there is threat to CW1 and CW2 and other prosecution witnesses. With this, he prayed to reject the petition.

5. Having heard the learned counsel, the Court has perused the charge sheet and other materials placed on record.

6. As per charge sheet, the marriage of the petitioner with CW2 took place on 27.08.2015. The petitioner, subsequently, married another lady, and when CW2 asked him regarding his second marriage, and at that



time, he quarrelled with her, and therefore, CW2 went to the house of her mother - CW1, and residing along with her two children in the house of CW1. The petitioner on 14.01.2025 at about 07.00 p.m. went to the house of CW1 and CW2, and asked CW2 to come with him to his house, and she abused and he abused her, and took knife hidden in his back, assaulted with it on the head, and caused bleeding injury, and thereafter assaulted on her, and her three fingers were cut. At that time, accused assaulted CW2 on her back, neck and caused bleeding injury. At that time CW1 came to rescue CW2, and at that time the petitioner assaulted her with chopper on her right and left hand, and as a result, her ring finger of right hand was cut, and injuries to the other two fingers and palm.

7. CW3 to CW6 are eye witnesses to the incident. The statements of CWs.3, 4 and 5 have been recorded under Section 183 of BNSS, wherein they have specifically stated the acts of this petitioner assaulting CW1 and CW2 with chopper causing injuries. The wound certificate of



CW1 indicates that she has sustained two grievous injuries and one simple injury. The wound certificate of CW2 indicates that she has sustained four injuries, and out of them, one injury on her finger is grievous injury and other three injuries are simple injuries. The injuries sustained by CW2 are on her neck occipital region and multiple lacerations on back measuring 12x2cm, 8x1cm and 5x2cm. Even though the said injuries are stated to be simple injuries, but they are on vital parts i.e. neck and head. The assault is made by deadly weapon i.e. the chopper. The said chopper has been seized, and it has been found to be blood stained. The charge sheet materials show a prima facie case against the petitioner for the offences alleged against him. One of the offences alleged under Section 109 of BNS is punishable with imprisonment for life. If the petitioner is granted bail, there is threat to CW1 to CW6 and other prosecution witnesses.



8. Considering the above aspects, the petitioner has not made out any grounds for grant of bail.

In the result, the petition is dismissed.

Sd/-
(SHIVASHANKAR AMARANNAVAR)
JUDGE

BKM
List No.: 2 Sl No.: 3