



IN THE HIGH COURT OF KARNATAKA
KALABURAGI BENCH
DATED THIS THE 23RD DAY OF FEBRUARY, 2026
BEFORE
THE HON'BLE MR. JUSTICE RAJESH RAI K
CRIMINAL PETITION NO. 200267 OF 2026
(438(Cr.PC)/482(BNSS))

BETWEEN:

BASAVA
S/O SURYAKANTH @ SHIVARAJ KHANDRE
AGE: 19 YEARS, OCC:STUDENT
R/O VILLAGE CHALKAPUR,
TQ: BHALKI, BIDAR-585414

...PETITIONER

(BY SRI. SANJAY A PATIL., ADVOCATE)

AND:

THE STATE OF KARNATAKA
THROUGH DHANNURA POLICE STATION
BHALKI RURAL CIRCLE
DIST: BIDAR-585414
REPRESENTED BY ADDL. SPP
HIGH COURT OF KARNATAKA
KALABURAGI BENCH

...RESPONDENT

(BY SRI.VEERANAGOUDA MALIPATIL, HCGP)

THIS CRL.P IS FILED U/S. 482 OF BNSS, U/SEC 438 OF CR.P.C PRAYING TO ALLOW THE PETITION THEREBY DIRECTING THE RESPONDENT POLICE/DHANNUR POLICE STATION, DISTRICT BIDAR TO RELEASE THE PETITIONER/ SOLE ACCUSED ON BAIL IN THE EVENT OF HIS ARREST IN CONNECTION WITH CRIME NO.2/2026 REGISTERED FOR THE OFFENCES PUNISHABLE U/SEC.107 OF BNS-2023 AS PER FIR, PENDING ON THE FILE OF PRL. CIVIL JUDGE (JR.DN) AND JMFC COURT, BHALKI, DISTRICT BIDAR.





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

CORAM: HON'BLE MR. JUSTICE RAJESH RAI K

ORAL ORDER

This petition is filed under Section 482 of BNSS, 2023, by the petitioner/accused for grant of anticipatory bail in Crime No.2/2026 dated 03.01.2026, registered by Dhannura Police Station, Bidar, for the offence punishable under Section 107 of Bharatiya Nyaya Sanhita (for short, 'BNS), 2023.

2. The factual matrix of the case is, complainant-Veerappa lodged a complaint before the respondent-Police alleging that, deceased-Nandini is his daughter, she was studying in 1st year B.Sc. at Bidar. Prior to one year from the date of incident, his daughter and the petitioner were loving each other, which came to the knowledge of both the families and a panchayat was convened and the relatives and the well-wishers of both the families performed the engagement formally with an understanding that once the deceased-Nandini attained



the age of majority, the petitioner would marry her. Later, the petitioner denied the marriage stating that he will not marry her even after she attaining age of majority. As such, the deceased went to depression and committed suicide at her house on 03.01.2026. The complainant lodged a complaint before the respondent-Police against the petitioner, which came to be registered in Crime No.2/2026 for the aforementioned offence. On apprehension of his arrest, the petitioner approached learned Addl. District and Sessions Judge, Bidar for grant of anticipatory bail in Crl.Misc.No.28/2026. The same was dismissed vide order dated 10.02.2026. Hence this petition.

3. Heard learned counsel for the petitioner and learned High Court Government Pleader for respondent-State.

4. Apart from urging several contentions, learned counsel for the petitioner contented that, on perusal of the complaint averments, at no point of time, the petitioner



instigated or driven the deceased-Nandini to commit suicide. The allegation against him is, he informed her that even after she attaining majority, he will not marry her and the same would not attract the offence under section 107 of BNS, 2023. Hence, he prays to allow the petition.

5. Learned High Court Government Pleader opposed the prayer on the ground that the investigation is still under progress. He also contended that the deceased was 17 years old and the petitioner is not 19 years old as stated by him, he is 22 years old and he with an ulterior motive, after having a relationship with the deceased, intentionally denied the marriage with her and as such, she committed suicide. Hence, he prays to dismiss the petition.

6. I have given my anxious consideration both on the submission made by the learned counsel for the respective parties and documents available on record.



7. As could be gathered from the complaint and other records, at the time of engagement the deceased was minor i.e., aged about 17 years. According to the petitioner, he was 19 years at that point of time. To that effect, he placed his Aadhar Card, which also depicts that he was aged less than 19 years at that time. As such, it is clear that both deceased and petitioner not attained the age of majority and they were legally not permitted to perform marriage, despite they performed the engagement. Though there is an allegation that petitioner informed the deceased that he will not marry her even after she attain the age of majority, the said assertion was made by the father of deceased.

8. In such circumstances, I am of the considered view that, custodial interrogation of the petitioner does not call for. Hence, without expressing any opinion on the merits of the case, suffice to hold that the petitioner/accused can be enlarged on anticipatory bail.

9. The Criminal Petition is **allowed**.



10. The respondent-Police are directed to release the petitioner/accused on bail in the event of his arrest in Crime No.2/2026, registered by Dhannura Police Station, Bidar, for the offence punishable under Section 107 of BNS, 2023, subject to the following conditions:

1. The Petitioner 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/- (Rupees One Lakh only) with two sureties for the likesum to the satisfaction of the Investigating Officer;
2. Petitioner shall regularly appear before the Trial Court without fail unless exempted by the Trial Court for valid reasons;
3. Petitioner shall not tamper with the prosecution witness and he shall co-operate with the police for investigation and appear before them whenever called upon;



4. Petitioner shall not involve in similar offences in future.

Sd/-
(RAJESH RAI K)
JUDGE

SDU
LIST NO.: 1 SL NO.: 14
CT-BH