



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 16TH DAY OF OCTOBER, 2025

BEFORE

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

CRIMINAL PETITION NO.201541 OF 2025

(438(Cr.PC)/482(BNSS))

BETWEEN:

1. SMT. ANUSUYA W/O RAVINDRA HALBURGA,
AGE: 52 YEARS, OCC: HOUSEHOLD,
2. SMT. SUREKHA W/O ANAND HALBURGA,
AGE: 25 YEARS, OCC: HOUSEHOLD,
BOTH ARE R/O RUDNOOR VILLAGE,
TQ. BHALKI, DIST. BIDAR-585401.

...PETITIONERS

(BY SRI ASHOK B. MULAGE, ADVOCATE)

Digitally signed
by RENUKA
Location: HIGH
COURT OF
KARNATAKA

AND:

THE STATE OF KARNATAKA THROUGH
UNIVERSITY POLICE STATION, KALABURAGI,
DIST. KALABURAGI-585106.
REP. BY ADDL. SPP, HIGH COURT OF KARNATAKA,
KALABURAGI BENCH-585107.

...RESPONDENT

(BY SRI GOPALKRISHNA B. YADAV, HCGP)

THIS CRIMINAL PETITION IS FILED UNDER SECTION 438
OF CR.P.C.(OLD) UNDER SECTION 482 OF BNSS (NEW),
PRAYING TO ALLOW THE PETITION AND DIRECT THE
RESPONDENT POLICE TO ENLARGE THE PETITIONERS ON BAIL



IN THE EVENT OF THEIR ARREST IN CRIME NO.126/2025 OF UNIVERSITY PS, KALABURAGI FOR THE OFFENCES PUNISHABLE UNDER SECTIONS 80, 85, READ WITH 190 OF BNS, 2023 AND UNDER SECTIONS 3 AND 4 OF D.P. ACT, PENDING ON THE FILE OF III ADDL. C.J. (J.D) AND JMFC, GULBARGA IN C.C NO.8792/2025.

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

CORAM: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

ORAL ORDER

(PER: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM)

This captioned petition is filed by accused Nos.3 and 5, who are the mother and sister-in-law of accused No.1 seeking anticipatory bail for the offences punishable under Sections 80, 85 read with Section 190 of the Bharatiya Nyaya Sanhita, 2023 and Sections 3 and 4 of the Dowry Prohibition Act in C.C.No.8792/2025.

2. Heard learned counsel for the petitioners and learned High Court Government Pleader.

3. The brief facts leading to registration of the case are that Yogita was the legally wedded wife of accused No.1 and their marriage was solemnized in the



year 2020. It is alleged that the accused persons subjected her to physical and mental harassment. On 08.05.2025 at about 3.30 p.m., when the younger daughter of the first informant tried to open the door of Yogita's room, it was found bolted from inside. Upon peeping through the window, she found Yogita hanging from the ceiling fan. Based on the complaint lodged by the first informant, a case came to be registered, and after investigation, a charge-sheet has now been filed against the petitioners and others.

4. The learned counsel for the petitioners would submit that even as per the prosecution material, the deceased was residing at her parental home for a considerable period prior to the unfortunate incident on account of matrimonial discord with accused No.1. The petitioners, who are the relatives of accused No.1, were not residing with the deceased and had no proximate connection with the alleged acts leading to her suicide. It is further submitted that the allegations in the charge-



sheet are omnibus in nature and do not attribute any specific overt act to the petitioners. Therefore, continued custodial interrogation is unwarranted, and the petitioners, being innocent, deserve the protection of anticipatory bail.

5. *Per contra*, the learned High Court Government Pleader has opposed the petition contending that there are serious allegations in the charge-sheet, and hence, the petitioners are not entitled to the discretionary relief of anticipatory bail.

6. On perusal of the charge-sheet materials, it is evident that there was matrimonial discord between the deceased and accused No.1. The unfortunate act of suicide appears to have occurred while the deceased was living separately at her parental home. The petitioners, being the womenfolk of the husband's family, were not residing with the deceased at the relevant point of time. The allegations levelled against them are general in nature, lacking any material particulars as to the nature of harassment or their specific role in the incident. The



investigation having been completed and the charge-sheet filed, no purpose would be served by taking the petitioners into custody. The apprehension of arrest, if any, can be allayed by granting them the protection of anticipatory bail, subject to appropriate conditions.

7. In view of the foregoing discussion and taking into account that the petitioners are women with no antecedents and that the allegations against them are yet to be substantiated during full-fledged trial. Accordingly, this Court proceeds to pass the following:

ORDER

The Criminal Petition is allowed.

The petitioners in Crime No.126/2025 registered by University Police Station, Kalaburagi, for the offences punishable under Sections 80, 85 read with Section 190 of the Bharatiya Nyaya Sanhita, 2023 and Sections 3 and 4 of the Dowry Prohibition Act, and now pending before the Court of the III Additional Civil Judge (Junior Division) and



JMFC, Kalaburagi, shall be entitled to the protection of anticipatory bail, subject to the following directions:

- (i) The petitioners shall appear before the Trial Court within fifteen (15) days from the date of receipt of a certified copy of this order and shall file an application seeking regular bail.
- (ii) Upon such appearance, the Trial Court shall consider and pass appropriate orders imposing such terms and conditions as it may deem fit, including execution of personal bonds and furnishing of sureties for their continued appearance during the proceedings.
- (iii) Till such appearance and consideration by the Trial Court, the petitioners shall not be arrested in connection with the aforesaid case.
- (iv) The petitioners shall not tamper with the prosecution witnesses or evidence, either



directly or indirectly, and shall not commit any similar offence in future.

- (v) In the event of breach of any of the conditions imposed by the Trial Court, it is open to the prosecution to seek modification or cancellation of bail in accordance with law.

Sd/-
(SACHIN SHANKAR MAGADUM)
JUDGE

RSP
List No.: 1 SI No.: 0
CT:SI