

(2025) 05 KAR CK 0408

In the Karnataka High Court, Principal Bench

Case No : Criminal Petition No. 6101 Of 2025 (438(Cr.Pc) / 482(BNSS))

Darvez Sadiq Alias Perviz Sadique

APPELLANT

Vs

State By Kibbanahalli Police, Represented By The Public
Prosecutor, High Court Bangalore 560001

RESPONDENT

Date of Decision : 29-05-2025

Acts Referred:

Bharatiya Nagarik Suraksha Sanhita, 2023 — Section 108
Code Of Criminal Procedure, 1973 — Section 438

Citation : (2025) 05 KAR CK 0408

Hon'ble Judges : Suraj Govindaraj, J

Bench : Single Bench

Advocate : Sanmukh Reddy, Waheeda M.M.

Final Decision : Allowed

Judgement

Suraj Govindaraj, J

1. The petitioner is before this Court, seeking for the following reliefs:

"WHEREFORE, the Petitioner prays that this Hon'ble Court may be pleased to grant anticipatory bail in Cr.3/2025 registered by the Respondent Kibbanahalli Police for the alleged offences under Section 108 BNS 2023 on the file of the Learned Prl.Civil Judge (Sr.Dn.) and CJM Court, Tiptur, in the interest of justice."

2. The proceedings have been initiated against the petitioner for offences under Section 108 of the Bharatiya Nyaya Sanhita, 2023 on the ground that it is on account of the petitioner not having advanced the loan of Rs.15,00,000/- sought for, by the deceased, the deceased committed suicide. As such, the petitioner is responsible and has abetted the deceased to commit suicide.

3. The only allegation made against the petitioner is as regards to non advancement of the loan as demanded by the deceased. Therefore, I am of the considered opinion that insofar as this allegation is concerned, there will be no requirement for custodial interrogation of the petitioner.

4. Accordingly, I pass the following:

ORDER

- a. The Criminal petition is allowed.
- b. The petitioner is ordered to be released on bail in the event of his arrest in Crime No.3/2025 pending on the file of the Prl.Civil Judge (Sr.Dn.) and CJM Court, Tiptur on the following conditions:
 - i. The petitioner shall appear and surrender before the Prl.Civil Judge (Sr.Dn.) and CJM Court, Tiptur within ten days from the date of receipt of the certified copy of this order and shall furnish a personal bond for a sum of Rs.50,000/- with one surety for the likesum to the satisfaction of the said court;
 - ii. The petitioner shall appear before the trial court regularly on the appointed dates;
 - iii. The petitioner shall furnish list of movable and immovable property held by him to the said Court;
 - iv. The petitioner shall not tamper with evidence or cause any threat to any of the prosecution witness/s in any manner;
 - v. The Petitioner shall co-operate with the completion of the investigation as expeditiously as possible;
 - vi. The petitioner shall furnish his mobile number, WhatsApp number, E-mail ID(if available), to enable him to be contacted. He is directed not to change any of the above until completion of trial.