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Status: **Pending**

Case Number: **CRL.P
4961/2026
(KAHC010224792026)**

Classification: **482(Cr.PC) /
528(BNSS)**

Date of Filing: **25/03/2026
10:05:03**

Petitioner: **ACHAL SINGHAL**

Petitioner Advocate: **AIYAPPA K
G**

Respondent: **STATE OF
KARNATAKA**

Respondent Advocate:

Filing No.: **CRL.P 4893/2026**

Judge: **M.NAGAPRASANNA**

Last Posted For: **FRESH
MATTER/S**

Last Date of Action: **08/04/2026**

Last Action Taken: **NOTICE**

Next Hearing Date:

Daily Orders: CRL.P 4961/2026

1	08/04/2026	M.NAGAPRASANNA	NOTICE
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ORAL ORDER ON I.A.NO.1 AND 2 OF 2026

Heard the learned counsel for the petitioner.

The petitioner is before this Court calling in question registration of a crime in Crime No.97/2026, pending before the 41st Additional Chief Judicial Magistrate Court, Bengaluru, for the offence under Section 69 of the BNS, 2023.

Learned counsel for petitioner files these two applications seeking release of the petitioner, who is in custody for the last 42 days for the offences as afore-quoted and seeking interim order of stay of the further investigation in the aforesaid crime.

The petitioner and the complainant are said to be colleagues in an office and develop friendship; friendship blossoms into relationship and relationship into physical as well. These happened for over 8 months. The complaint is now registered on the allegation that the petitioner has had physical relationship on commitment of marriage and has broken the said commitment. Therefore, it would become the ingredients of Section 69 of the BNS.

A perusal at the complaint would clearly indicate that the acts between the petitioner and the complainant were all consensual as not a word of allegation of sexual assault by the petitioner against the complainant is narrated.

Though the provision i.e., Section 69 of the BNS would punish a person having sexual intercourse with the victim on the deceitful promise of marriage, in the case at hand there is no indication except the fact that the breach of promise of marriage is an afterthought that springs in the complaint.

The litigation is with regard to misuse of Section 69 of the BNS and mushrooming of cases before this Court by the day and in all cases, where the relationship ends in a breakup, the man is in the lockup. Therefore, it is necessary for this Court to direct release of the petitioner forthwith.

In the light of the afore-made observations, if further investigation is permitted to continue in the case at hand, it would run foul of the judgments of the Apex Court in the case of DR. DHARUVARAM MURLIDHAR SONAR v. THE STATE OF MAHARASHTRA reported in (2019) 18 SCC 191 and SAMADHAN v. STATE OF MAHARASHTRA reported in 2025 SCC OnLine SC 2528.

There shall be an interim order of stay of the further investigation in Crime No.97/2026, pending before the 41st Additional Chief Judicial Magistrate Court, Bengaluru, till the next date of hearing.

Accordingly, I.A.No.1/2026 is allowed and I.A.No.2/2026 stands disposed. The petitioner is directed to be released forthwith.

The Registry of this Court shall communicate through e-mail to the Jail Authorities, to release the petitioner, forthwith.

Learned Additional Government Advocate waives notice for respondent No.1.

Issue emergent notice to respondent No.2.

Learned counsel for the petitioner to serve a copy of the petition papers upon the learned Additional Government Advocate, forthwith.

Hand delivery of the order is permitted.

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