



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 26TH DAY OF MAY, 2026

BEFORE

THE HON'BLE MR. JUSTICE MOHAMMAD NAWAZ

CRIMINAL PETITION NO.200682 OF 2026

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

BETWEEN:

SMT. DIPALI @ DEEPALI,
W/O NAVNATH DAREKAR,
AGED ABOUT 30 YEARS, OCC: HOUSEHOLD,
R/O WARD NO.2, NEAR KELICHYAKOTHA,
NIR SHIVTAKRAR, PIMPREKHURD,
NIRS R S, PURANDAR, DIST. PUNE-412 102.
(MAHARASTRA STATE).

...PETITIONER

(BY SMT. VIJAYA M. PATIL ADV. FOR
SRI. ARUNKUMAR AMARGUNDAPPA, ADVOCATE)

AND:

THE STATE OF KARNATAKA
THROUGH, AFZALPUR POLICE STATION,
TQ. AFZALPUR, DIST. KALABURAGI,
REP. BY IT'S ADDL. SPP,
HIGH COURT BENCH,
KALABURGI-585 102.

...RESPONDENT

(BY SRI. GOPALKRISHNA B. YADAV, HCGP)





THIS CRIMINAL PETITION IS FILED UNDER SECTION 482 OF BNSS, PRAYING TO ALLOW THE PETITION AND FURTHER DIRECT THE RESPONDENT POLICE I.E., AFZALPUR PS TO ENLARGE THE PETITIONER/ACCUSED NO.4, ON BAIL, IN THE EVENT OF HER ARREST IN CONNECTION WITH CRIME NO.65/2026, REGISTERED FOR THE OFFENCE PUNISHABLE U/SECS.80(2), 103, 61(2), R/W SEC 3(5) OF BNS, 2023 AND SECTIONS 3 AND 4 OF DOWRY PROHIBITION ACT, 1961 PENDING ON THE FILE OF CIVIL JUDGE (JR.DN) AND JMFC, AFZALPUR REGISTERED BY THE AFZALPUR POLICE STATION, IN THE INTEREST OF JUSTICE.

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

CORAM: HON'BLE MR. JUSTICE MOHAMMAD NAWAZ

ORAL ORDER

Heard the learned counsel for the petitioner, learned High Court Government Pleader for the State and perused the material on record.

2. Petitioner, arrayed as accused No.4 in Crime No.65/2026 of Afzalpur Police Station, Kalaburagi registered for the offences punishable under Sections 80(2), 103, 61(2) r/w Section 3(5) of the BNS,2023 and Sections 3 and 4 of Dowry Prohibition Act, 1961, has



preferred this petition under Section 482 of the BNS, 2023.

3. FIR is registered on a complaint lodged by Smt. Rajashri W/o Rajendra Salunke, namely the victim's mother.

4. A perusal of the complaint averments reveal that the marriage of complainant's daughter by name Sayali with accused No.1 took place on 26.09.2022 and it was a love marriage. After the marriage, the victim Sayali started residing with her husband and parents-in-law at Gunawadi, Bharamati taluk in Pune. For about two years, she was looked after properly and thereafter the accused started subjecting her to cruelty, demanding dowry. It is alleged that the accused were causing physical and mental harassment to her insisting her to get a house as dowry and give money to purchase a car. It is further alleged in the complaint that during Deepavali, the accused assaulted the complainant's daughter and driven her out



of her house and for about six months, she stayed in her parental home. Then the husband and mother-in-law started making phone calls to send her back assuring that she will be looked after properly. Therefore, on 25.03.2026 at about 11.00 a.m., she was sent back to her matrimonial home. On 26.03.2026 at about 1.00 p.m., the complainant was informed by the Afzalpur Police that her daughter has been murdered. The complainant along with her husband and others came to Afzalpur and saw the dead body of her daughter in the mortuary of the Government Hospital.

5. It is averred in the complaint that one Anil S/o Bhagawan Saragar informed the complainant that her daughter was brutally assaulted and murdered by the accused persons. Based on the said complaint, FIR was registered against the husband, parents-in-law and the sister-in-law *i.e.* the petitioner herein, of deceased-Sayali.



6. The investigation is under progress. The petitioner, sister-in-law of the deceased is arrayed as accused No.4 in the FIR. Perusal of the FIR contents reveal that the complainant was informed by one Anil S/o Bhagawan Saragar that the accused have committed the murder of her daughter. He is the eyewitness to the incident. It is stated that on 26.03.2026 at about 4.00 a.m. the accused hired his car and the accused namely Akshay and his parents-in-law took deceased Sayali towards Deval Ghangapur in the car. At about 10.30 a.m. when the car was proceeding towards Afzalpur, accused No.1-Akshay instructed him to stop the car and then on the ground that the deceased had not brought money and did not get the house, they assaulted her. Accused No.1 stabbed her with a sharp edged weapon and while she attempted to flee, he drove the car and ran over the victim and committed the murder.

7. It is contended by the learned counsel for the petitioner that the only allegation against the petitioner is



that she along with other accused were harassing the deceased to bring dowry and there is no allegation that she was also present along with accused Nos.1 to 3 on the date of incident *i.e.* on 26.03.2026. She submitted that the petitioner is residing separately at Pune along with her family members including two minor children and she has been falsely roped in this case. She submitted that the petitioner is ready and willing to abide by any conditions which may be imposed by the Court.

8. Learned High Court Government Pleader on the other hand contended that this is a case of brutal murder and there is an eyewitness to the incident. Petitioner's name is very much mentioned in the FIR and in view of the nature and gravity of the offence, petitioner is not entitled for the relief of anticipatory bail, as the investigation is in progress.

9. A careful perusal of the complaint averments reveal that after the victim's marriage with the accused



No.1, she started residing with her husband and parents-in-law at Gunawadi of Bharamati taluk in Pune. It is not stated that even the petitioner was residing along with them. The allegation against the petitioner, sister-in-law of the deceased, is that even she along with accused Nos.1 to 3 was harassing the deceased in connection with dowry. However, specific allegations are not made against the petitioner as to in what manner she was subjecting the deceased to cruelty in connection with dowry. Though it is a matter of trial, this Court finds that petitioner was not residing along with the deceased and accused Nos.1 to 3, but she was residing separately along with her family members. It is not alleged in the complaint that she was residing along with accused Nos.1 to 3. Further, in respect of the incident which took place on 26.03.2026, wherein one Anil S/o Bhagawan Saragar is an eyewitness, petitioner was not at all present at the spot. The allegations are against accused Nos.1 to 3. In respect of



the said incident, no overtacts are attributed against the petitioner.

10. In that view of the matter and in the facts and circumstances of the case, prayer of the petitioner, a woman having two minor children, can be considered and the relief sought in the petition may be granted by imposing necessary conditions. Accordingly, the following:

ORDER

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

The petitioner/accused No.4 is directed to be released on bail in the event of her arrest in Crime No.65/2026 of Afzalpur Police Station, Kalaburagi, subject to following conditions:

- (i) The petitioner is directed to appear before the jurisdictional Court within a period of one week from the date of receipt of a copy of this order and shall execute a bond in a sum of



Rs.1,00,000/- with two sureties for the likesum to the satisfaction of the jurisdictional Court.

- (ii) She shall furnish the proof of her residential address and shall inform the Court if there is any change in the address.
- (iii) She shall cooperate with the investigation of the case.
- (iv) She shall not tamper with the prosecution witnesses and evidence in any manner.
- (v) She shall be regular in appearing before the trial Court.

**Sd/-
(MOHAMMAD NAWAZ)
JUDGE**

BL
List No.: 1 SI No.: 17
CT:SI