

Jyothi vs the State of Karnataka

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SooperKanoon Citation : sooperkanoon.com/1508098

Court : Karnataka Kalaburagi

Decided On : Feb-10-2026

Judge : Rajesh Rai K

Appeal No. : CRL.P/201472/2025

Appellant : Jyothi

Respondent : The State of Karnataka

Judgement :

-1- !!" # \$ % % & ' & () * ' &)) + !! Digitally signed by SHIVALEELA DATTATRAYA
!! UDAGI Location: HIGH "# COURT OF KARNATAKA \$ # %! & ' () ' ' ! ' ' * -2- ! !!
) ' ' * # ! ' ') ' \$ ' ! ! ' % !

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)!) - - . ' -3-

ORAL ORDER

/01 23404056 01 70839 :693; 3<4056 57 /=;=40>= =?=@0@ ::=@1/= =6/04= 45
A:=1/ 4/3 2;5<33906?1

=?=0614 4/3 234040563;1 =<<:139 51 45 #

/3 =C;09?39 7=<41 57 4/3 <=13 =;3 4/=4

;312569364 5 B=; ;039 563 /=1/0@0;=6 =<<:139

B=;;0=?3 /3; /:1C=69 B54/3;*06*8=E =69 C;54/3;*06*8=E 14=;439 45 1:123<4 /3;
7093804> =69 =1 1:</ /=;=1139 /3;

C54/ 2/>10<=88> =69 B364=88> :C13A:3648> 4/3> =815 /=;=1139 /3; 45 C;06?
=9904056=8 95E;> <<5;906? 45 /3; 5:4 7;5B 4/3 B=4;0B560=8 /5B3 /3;3=743; 1/3
14=;439 45 -4- ;31093 =4 /3; 2=;364=8 /5B3 36<3 1/3 859?39 4/3 <5B28=064 56 "
C375;3 ;312569364 5 *!580<3 =?=0614 4/3 234040563;1 =69 54/3;1 6 4/3
14;36?4/ 57 4/3 1=09 <5B28=064) <=B3 45 C3 ;3?0143;39 06 ;0B3 5 9=439 "
=?=0614 4/3 234040563;1 =69 54/3;1 75; 4/3 =75;3B36405639

57736<31 743; 4/3 ;3?014;=4056 57) ;312569364

" 3=;9 83=;639 <5:6138 75; 4/3 234040563;1 =69 83=;639 0?/ 5;:4 5D3;6B364
!83=93; 75; ;312569364 5 * 4=43 =69 83=;639 <5:6138 =223=;06? 75;
;312569364 2=;4 7;5B ;;?06? 13D3;=8 <5643640561 83=;639 <5:6138 75; 4/3
234040563;1 <56436939 4/=4 4/313 234040563;1 C306? =<<:139 51 45 #
65E/3;3 06D58D39 06 -5- <<5;906? 45 /0B 4/313 234040563;1 =;3 132=;=438>
;310906? =856? E04/ 4/30; ;3123<40D3 7=B08> <<5;906?8> /3 2;=>1 45 =885E
4/3 23404056 F 83=;639 0?/ 5;:4 5D3;6B364 !83=93; =223=;06? 75; ;312569364 5
* 4=43 =69 83=;639 <5:6138 75; 4/3 ;312569364 5 5225139 4/3 23404056 =69
2;=> 45 901B011 4/3 23404056 # /=D3 ?0D36 B> =6G05:1 <561093;=4056 C54/
56 ;3123<40D3 2=;4031 =69 95<:B3641 B=93 =D=08=C83 56 ;3<5;9 6 23;:1=8 57
4/3 <5B28=064 =69 </=;?3 1/334

B=43;0=81 ;312569364 5 /=1 <=43?5;0<=88> 14=439 =743;563

/=D3 14=;439 1:123<406? /3; 7093804> =69 /=;=1139 /3; =43; 4/3 234040563;1
93B=6939 =9904056=8 95E;> =69 -6- /=;=1139 /3; C54/ 2/>10<=88> =69
B364=88>)06=88> 56 /5B3 1 7=; =1 4/313 234040563;1 =;3 <56<3;639 65
123<070< 5D3;4 =<41 =;3 75;4/<5B06? 06 4/3 <5B28=064 5; 06

9B044398> 4/313 234040563;1 =;3 06*8=E1 =?39 =C5:4 =69 "# ;3123<40D38> ,
6 1:</ <0;<:B14=6<3 4/3 56.C83 23G 5;;4 06 ;325;439 06 ! "# \$ %& =4 2=;=?;=2/ 5
F /389 4/=4 4/3 5;;4 1/5:89 C3 <=;37:8 06 2;5<33906? =?=0614 4/3 9014=64
;38=40D31 06 <;0B31 23;4=0606? 45 B=4;0B560=8 9012:431 =69 95E;> 93=4/1
/3 ;38=40D31 57 5B60C:1 =883?=40561 :68311 123<070< 0614=6<3 57 4/30;

06D58D3B364 06 4/3 <;0B3 =;3 B=93 5:4 4 01 =815 1344839 25104056 57 8=E
4/=4 07 = 23;156 01 B=93 45 7=<3 = <;0B06=8 -7- 4;0=8 56 15B3 ?363;=8 =69
1E33206? =883?=40561 E04/5:4 C;06?06? 56 ;3<5;9 =6> 123<070< 0614=6<31
57 <;0B06=8 <569:<4 04 01 654/06? C:4 =C:13 57 2;5<311 57 4/3 5;;4 /3 5;;41
2513 = 9:4> 45 1:CH3<4 4/3 =883?=4056 83D38839 06 <3;4=06 0690D09:=81 06
= <;0B06=8 </=;?3 B5;3 2=;40<:8=;8> E/36 = 2;513<:4056 =;013 7;5B =
B=4;0B560=8 9012:43

);4/3; 4/3 56IC83 23G 5;;4 06 4/3 <=13 57 ' (# ;325;439 06) * \$\$ +*) /389 06 2=;=
51 =69 =1 :693;-) ! -8- " \$ % & \$ ' \$ ' \$ % (,) ! *+, # ! (- . ! *+, # / . " -9- ! . . ! *+, # .
- 6 4/3 0614=64 <=13 = C=;3 23;:1=8 57) =69 </=;?3 1/334 B=43;0=81 <83=;8>
1/5E1 4/=4 4/3 =883?=40561 B=93 C> ;312569364 5 =;3 D=? :3 =69 5B60C:1
2=;4

7;5B <8=0B06? 4/=4 4/3 /:1C=69 0 3 =<<:139 5 =69 /01 7=B08> B3BC3;1
B364=88> /=;=1139 /3; E04/ = 93B=69 75; 95E;> ;312569364 5 /=1 654 2;5D0939
=6> 123<070< 934=081 5; 931<;0C39 =6> 2=;40<:8=; 0614=6<3 57 /=;=11B364
/3 /=1 654 B36405639 4/3 40B3 9=43 28=<3 5; = B=663; 06 E/0</ 4/3 =883?39
/=;=11B364 5<<:;;39 5; 4/3 934=081 57 8=<@1 <56<;343 =69 2;3<013
=883?=40561 /3 43;B J<;:384>K <=6654 C3 314=C801/39 E04/5:4 123<070<
0614=6<3 /3 1=B3 E3=@361 4/3 <=13 57 4/3 2;513<:4056 =69 <=141 13;05:1
95:C4 56 4/3 2;5C=C0804> 57 4/3 D3;1056 57 ;312569364 5 - 10 - /3 B3;3
?363;=8 =883?=40561 57 /=;=11B364 E04/5:4 2506406? 5:4 4/3 123<070<
934=081 E5:89 654 C3 1:770<0364 45 <56406:3 <;0B06=8 2;5<33906?1
=?=0614 =6> 23;156 4 01 1344839 25104056 57 8=E 4/=4 5;;41 /=D3 45 C3
<=;37:8 =69 <=:405:1 06 93=806? E04/ <5B28=064 =69 B:14 4=@3 2;=?B=40<
;3=804031 0645 <561093;=4056 E/083 93=806? E04/ B=4;0B560=8 9012:431
E/3;3 4/3 =883?=40561 /=D3 45 C3 1<;:4060L39 E04/ ?;3=4 <=;3 =69

<0;<:B123<4056 06 5;93; 45 2;3D364 B01<=;;0=?3 57 H:140<3 =69 =C:13 57
2;5<311 57 5;;4 6 B> <561093;39 D03E <56406:=4056 57 <;0B06=8 2;5<33906?
=?=0614 4/313 234040563;1 0 3 =<<:139 51 45 # 01 654/06? C:4 =C:13 57
2;5<311 57 5;;4 <<5;906?8> 2;5<339 45 2=11 4/3 75885E06?+ = /3 23404056 01
- C /3 2;5<33906?1 =?=0614 4/3 234040563;1 =<<:139 51 45 # 06 - 11 - 5 ""
=;0106? 5:4 57 ;0B3 5 ;3?0143;39 C> 5B36 !580<3 '=8=C:;=?0 75; 4/3 57736<31
2:601/=C83 :693; 3<40561 & (=69 & (; E 3<4056 , 57 2;313648> 236906? 56 4/3
7083 57 4/3 998 0D08 :9?3 =69) '=8=C:;=?0 01 /3;3C> A:=1/39 ,* & %) % 014 5 -
8 5CT/BH

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