HC-KAR

NC: 2026:KHC:46421
CRL.P No. 6704 of 2026

CNR: KAHC010316082026

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IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.NAGAPRASANNA

CRIMINAL PETITION NO. 6704 OF 2026 (482(Cr.PC) / 528(BNSS)-)

BETWEEN:

1. STANDARD CHARTERED BANK
BRANCH OFFICE AT
2ND FLOOR, RAHEJA TOWER,
EAST WING, 26, M.G. ROAD,
BANGALORE 560 001
THROUGH ITS AUTHORIZED SIGNATORY

...PETITIONER

(BY SRI. P.P. HEGDE, SR. COUNSEL FOR SMT. MAITREYI B KANNUR, LEARNED COUNSEL,ADVOCATE)

AND:

1. STATE OF KARNATAKA CID,
FINANCIAL INTELLIGENCE UNIT
CARLTON HOUSE,
PALACE ROAD
BENGALURU- 560001
REP BY ITS SPECIAL PUBLIC PROSECUTOR,
AT BANGALORE.

2. KISHORE NAKKA
AGED ABOUT 43 YEARS

S/O LATE RAMACHANDRA RAO NAKKA
R/ AT NO. 02, BALAJI NILAYA,
2ND BLOCK, 4TH MAIN ROAD, I
NDOOR PEACOCK STADIUM,
CHOUDAIAH LAYOUT,
RT NAGAR, BENGALURU 560032

...RESPONDENTS

(BY SRI. B.N. JAGADEESHA, SPP-I FOR R1; SMT. NALIMA MAYE GOWDA, SR.COUNSEL FOR SRI MANJUNATHA HIRAL ADVOCATE FOR R2.)

CRL.P FILED U/S 482 CR.PC (FILED U/S 528 BNSS) BY THE ADVOCATE FOR THE PETITIONER PRAYING THAT THIS HONOURABLE COURT MAY BE PLEASED TO1. SET ASIDE THE ORDER DTD 27.04.2026 PASSED BY THE 1ST ACMM, BENGALURU IN CRIMINAL CASE NO.11116/2026 (ARISING OUT OF FIR CR.NO.242/2025) AND PERMIT THE PETITIONER TO PARTICIPATE, BE HEARD AND ASSIST THE ADJUDICATION OF THE MATTER IN QUESTION (INCLUDING BEING HEARD ON THE BAIL APPLICATION) AS A VICTIM.

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

CORAM: **HON'BLE MR. JUSTICE M.NAGAPRASANNA**

ORAL ORDER

The petitioner, Standard Chartered Bank, is before the Court calling in question an order dated 27.04.2026 passed by the I Additional Chief Metropolitan Magistrate, Bengaluru in Criminal Case No.11116/2026, by which the concerned Court rejects the impleading application of the Bank to implead themselves into a proceeding of grant of a regular bail.

2. Heard the Learned Senior Counsel Sri P. P. Hegde appearing for the petitioner; Sri B.N. Jagadeesha, learned Special Public Prosecutor for the respondent No.1-State and Senior Counsel Smt. Nalina Mayegowda appearing for the accused / respondent No.2.

3. The petitioner, a multinational banking and financial services institution suffers a loss of Rs.88/- crores. The loss is not on account of its own making but is alleged to be on account of siphoning of funds by the accused. This is, of course, an allegation. The accused, arrayed as the respondent No.2, is

said to have indulged in misappropriation, siphoning or the misuse of the customers funds to the tune of Rs.88/- crores.

4. Based upon the complaint registered by the petitioner-bank, as also a customer, the criminal law is set into motion, when crime is registered in Crime Nos. 237/2025 and 242/2025. The Crime is registered for an offence punishable under Section 318 of the BNS initially. The police conduct investigation and file a charge sheet. Throughout this period, the accused is in custody and remains in custody even today. The issue is not with regard to the merit of the matter. When the accused sought to be enlarged on bail, the Bank being the de-facto complainant in Crime No. 237/2025, filed an application in the proceedings arising out of Crime No. 242/2025, claiming the status of a victim as obtaining under Section 2(wa) of the Cr.P.C., and praying that it should be heard in the matter prior to grant of any bail to the accused. The concerned Court rejects the application on the score that the petitioner does not have the locus to intervene in a petition concerning grant of bail or otherwise of the accused. The bank, aggrieved by the said order of rejection of its application

seeking to implead itself into the proceedings concerning enlargement of bail of the accused, is before this Court, calling in question the said proceeding.

5. The Learned Senior Counsel Sri P. P. Hegde would vehemently contend that the petitioner-bank is in the position of a victim of financial loss, injury, and reputation, and all that at the hands of one solitary person, now the accused. The fact that the Bank, acting in its capacity as holder of funds, has released an amount by way of insurance or otherwise to the customers, would not mean that the Bank has given up its right of recovery of the said amount, or its right to intervene in a proceeding in which the grant of bail is sought for the accused, who is alone responsible for all the fraud that has happened in the Bank.

6. *Per contra*, the Learned Senior Counsel Smt. Nalina Mayegowda appearing for the respondent No.2 – accused would refute the submission, contending that the petition is premature, as the petitioner has not yet acquired the status of a victim, it being yet to be determined as to how the petitioners have become a victim, more so in the teeth of the fact that the

entire sum of the Rs.88/- crores has either been released to the customers who have suffered loss, or is in process of being released, as the case may be. The Learned Senior Counsel submits that the law is only that the victim is entitled to be heard in the matter, and not all and sundry who are aggrieved by grant of bail of an accused.

7. Sri B.N. Jagadeesha, the Learned Special Public Prosecutor, however, supporting the case of the petitioner, submits that if the modus operandi of the accused is one of siphoning of funds totalling to Rs. 88 crores, the Bank becomes a victim and is entitled to be heard in the matter.

8. I have given my anxious consideration for the arguments advanced by the learned counsel for the parties.

9. The only issue that falls for consideration is whether the bank which has lost Rs.88/- crores today, is in the status of a victim for it to be heard in an application seeking grant of bail of an accused who is allegedly responsible for siphoning of funds of Rs.88/- crores. The afore-narrated facts lie in a narrow compass. The issue that drives the petitioner to this Court is

not on the merits of the matter. The second respondent stands as an accused in two crimes: one, Crime No.237/2025, registered by the petitioner-Bank, and the other, Crime No.242/2025, registered by the customers of the Petitioner-Bank. In Crime No.237/2025, the petitioner-Bank is the complainant. In Crime No.242/2025, the officials of the Bank are also arrayed as accused in the matter.

10. The respondent No.2 - accused, was not granted bail and was taken into custody. After the filing of the charge sheet, he again files an application seeking bail. In these proceedings, the petitioner-Bank files an application seeking to implead itself, which comes to be rejected by the following order:

"CC 11116/2026

ORDERS ON 338(2) r/w 18(8) OF BNSS APPLICATION FILED BY THE STANDARDCHARTERED BANK AND IMPLEADING APPLICATION AND MEMO OF INTERVENTION TO THE BAIL APPLICATION OF ACCUSED NO. 1 FILED BY THE STANDARD CHARTERED BANK DATED 01-04-2026:

This order arise out of the applications and memo of intervention and impleading application filed by the Standard Chartered Bank U/Sec. 338(2) r/w 18(8) of BNSS, in said applications Standard Chartered Bank stated that he is victim in this case so, as per section 2(Wa) of the Cr.P.C he has right to apposed the bail application filed by the Accused no. 1 and there is grave financial and economic offences committed by the Accused no. 1 against the bank, so the said bank has got every right to implead in this case and apposed the bail application.

2. Per contra, the Ld.Sr.APP and defecto complainant submits no objections to the application of bank, but Accused has filed objections to the application of Standard Chartered Bank in which he dined the entire contents of application of the bank and stated that he has no local standi to participate in the criminal case proceedings by way of impleading application because, as per the FIR, Standard Chartered Bank also Accused no. 2 so, Accused no. 2 can not act as victim in this case and to escape from the criminal liability he making attempt the take the shelter of the court in the name of victim and Standard Chartered Bank official also involved in the alleged transaction as such prays to dismiss the applications filed by the Standard Chartered Bank.

3. Heard both sides.

4. The following points arise for my consideration:

1. Whether the Standard Chartered Bank made out sufficient grounds to implead and participate in the case proceedings on capacity of victim?

2. What order?

5. My findings on these points is as follows:

Point No.1:-In the Negative.

Point No.2:-As per the final order for the following:

REASONS

6. Point No.1: admittedly the complainant police have registered the case against Accused for the offences P/U/Sec. 409, 465, 468, 471 of IPC. Further admittedly as per the FIR that too in persuance of the complainant given by the Sharathchandra Churukhandi the complainant police have included the bank official of Standard Chartered Bank MG road branch as Accused no. 2, further admittedly Accused no. 1 is in JC.

7. Further during the course of arguments Ld.Sr. Counsel for Accused argued that absolutely Standard Chartered Bank has no right to implead in this case on capacity of victim because, as per the FIR bank officials and all high level officers of the bank have included in the alleged crime, so to escape the said higher officials with conclusion of police only Accused no. 1 has arrayed in this case and he is only employer in the Standard Chartered Bank and for every rupee of the bank amount transfer from one branch to another there are several sections to the bank so Accused no. 1 alone is not a sole person to transfer the 88 crores of alleged amount and charge sheet has been already filed by the IO and there is no investigation is pending and prays to dismiss the application filed by the Standard Chartered Bank, counsel also filed written arguments.

8. On the other hand Ld. Sr.counsel Sri. PP Hegde for Standard Chartered Bank argued that the Accused being a employer cheated the Standard Chartered Bank for an amount of Rs. 88 crores something and he caused economical loss to the Standard Chartered Bank and some deposits directly to taken by the Accused no. 1 and transfer to his wife, children and father accounts and the Standard Chartered Bank also victim in this case and he has right to participating in the case proceedings to apposed the bail application.

9. Counsel also relied upon ruling reported in (2022) 9 SCC 321 between Jagjeethsingh and other persons Ashish Mishra alias Manu and another and as per the the ratio of the Hon'ble Supreme court, Ld. Sr. Counsel argued that the Standard Chartered Bank being a victims as right to participate in the criminal proceedings and there is no specific and direct provision under law to the victims though as per the ruling in Para no. 35 the victims have got direct right to impleading in the criminal case proceedings. Because the victims right are inbuilt in every criminal cases and prays to allow the application filed by the Standard Chartered Bank.

10. Of course Ld. APP and defecto complainant submits no objections to the application filed by the Standard Chartered Bank.

11. Further on perusal of FIR and other prosecution papers and arguments address by the Ld. Sr. Counsel for Accused and Standard Chartered Bank, as stated supra, as per the rulings of Hon'ble Supreme court rendered in Jagjeetsingh and another case it is settled principle of law that every victim has got absolute right to implead as well as participate in the criminal case proceedings if she requires including to appose the bail application filed by the Accused, so the said ratio of Hon'ble Apex court strengthen by the Ld. Sr. counsel in PP Hegde arguments. But here in this case as per the FIR contents and complaint averments the complainant made allegations against the officials of the Standard Chartered Bank that too he seek the action against Accused no. 1 relationship manager and other bank officials of Standard Chartered Bank, so in view of the complaint made by the complainant, the complainant police have mentioned the Standard Chartered Bank as Accused no. 2 in column no. 6 of the FIR, so once the police nor complainant have made allegations against one particular person with regard to involvement of his role in criminal activities, the law does not permit to threat the Accused nor the accusation person as victim of the case, In case the courts may treat the Accused as victims then definitely the orders of the said court given right to the Accused and the role of said Accused may very in the investigation process and it caused some disadvantages to the persons actually who are suffered out of the acts of the Accused, here in case also the Standard Chartered Bank has not satisfied the court and made out sufficient substantial grounds to implead and to accord permission to participate in the case proceedings because, as stated supra as per the complaint and other case papers there is direct allegations against bank officials of Standard Chartered Bank with regard to the commit of cheating and criminal breach of trust so, once there is an allegations against Standard Chartered Bank in complaint and other papers definitely the Standard Chartered Bank is not entitle for any reliefs as per his applications and he has not satisfied the court nor make out sufficient grounds to allow in the case proceedings.

12. Of course during the course of arguments defecto complainant counsel filed memo with ruling reported in

2026 SCC online 211 between Rakesh Mittal V/s Ajay pal Guptha alias Sonu Chowdary and others in which the Hon'ble Supreme court held that where the Accused have committed on offence of sever in nature then they are not entitle for bail on principle of personal liberty that too in case of large financial frauds.

13. So, in view of the offer said reasons I am of the opinion that the application filed by the Standard Chartered Bank and argument address by the counsel have not supports in this case and also the applications deserves to be dismissed. Hence, I answer point No.1 in the negative.

14. Point No.2: For the reasons stated above, I proceed to pass the following:

O R D E R

The applications filed by the Standard Chartered Bank U/s.338(2) r/w 18(8) of BNSS for impleding applications and Memo of intervention are hereby **DISMISSED**. For reply on bail application at 03.00 pm.

I ACJM, Bengaluru"

11. The concerned Court is of the opinion that the petitioner does not fit into the definition of "victim" or that it is entitled to be impleaded in the proceedings to object to the grant of bail or otherwise. The said finding of the concerned Court is unacceptable. The petitioner is a bank. The bank has lost Rs.88/- crores., and despite this loss, has tried to pacify or satiate the customers by releasing an amount of Rs.88/- crores or by being in the process of doing so, as the case may be. It is trite law that a person would become a victim who has

suffered injury, financially or otherwise, the trite of which are all considered by the Apex Court in its judgments from time to time. Therefore, the bank cannot be said to be a stranger to the proceedings for it not to be impleaded into the proceedings.

12. The learned Special Public Prosecutor has placed on record the material as to how the amount of Rs. 88/- crores is siphoned off. The amount, if it had gone to anybody else's account, the bank would have stood outside the present controversy. The flow chart as to how the amount has been systematically siphoned off would be this way mentioned below:

"4. FLOW CHART – OF THE FRAUD (62 Victims)

Accused Fund Flow & Scheme Escalation

62 identified victims
Funds received (62 victims): 88,19,73,489
Total Receipts: 88,19,73,489

↓
RTGS / NEFT / Cheque transfers

Primary receipt - accused & family accounts
Victim funds credited directly across multiple accounts.

Kishore Kumar Primary accused ₹11,00,000	Ramya Wife ₹69,99,41,914	Jeethika Upasana Daughter ₹6,94,16,200	Ramachandra Father ₹1,47,97,375

↓
Funds pooled & routed to trading accounts

Deployment into securities trading accounts
Victim funds deployed for equity trading across three platforms

Kotak Securities	Zerodha	Zerodha	Upstox
Kishore Kumar	Ramya — QA8663	Kishore — YD336	6FBDBP
Equity trading	Wife's account	Equity trading	Kishore
Invested: ₹90,11,000	Invested: ₹17,04,18,973	Invested: ₹53,01,67,027	Invested: ₹1,49,34,571
Loss: ₹86,78,560	Loss: ₹16,30,45,831	Loss: ₹53,01,67,027	Loss: ₹1,49,34,571

Total trading losses across all platforms — ₹77,68,25,989
↓
Losses & diversion of funds

Partial repayments	Other payments
3 of 62 victims repaid ₹8,67,08,901 Funded from new victims	Cash Withdrawals - Loan / Credit Card - Transfers to family accounts - Other Payments ₹1,84,38,599"

13. Out of the amount, the wife of the accused receives Rs.69/- crores, the daughter receives Rs.6/- crores, the second daughter receives Rs.9/- crores, the father receives Rs.1,47,00,000/-. That totals Rs.88/- crores of bank money, which is nothing but public money, diverted into the accounts of the family of the accused. If the bank is not a victim in such case, I fail to understand as to who else can be better suited to the position of a victim, to object to the grant of bail to a person who has siphoned off bank's funds - public money in the manner set out above.

14. The charge sheet is filed by the jurisdictional police and the matter has to be tried. The issue as to who would be a victim now stands completely answered by the Apex Court in its judgments rendered from time to time, which also considers the extent of participatory rights available to such a victim.

14.1 The Apex Court in the case of **JAGJEET SINGH v. ASHISH MISHRA @ MONU**[1] holds as follows:

> " 23. It cannot be gainsaid that the right of a victim under the amended Cr.P.C. are substantive, enforceable, and are another facet of human rights. **The victim's right, therefore, cannot be termed or construed restrictively like a brutum fulmen. We reiterate that these rights are totally independent, incomparable, and are not accessory or auxiliary to those of the State under the Cr.P.C**. The presence of 'State' in the proceedings, therefore, does not tantamount to according a hearing to a 'victim' of the crime.
>
> 24. A 'victim' within the meaning of Cr.P.C. cannot be asked to await the commencement of trial for asserting his/her right to participate in the proceedings. **He/She has a legally vested right to be heard at every step post the occurrence of an offence.** Such a 'victim' has unbridled participatory rights from the stage of investigation till the culmination of the proceedings in an appeal or revision. **We may hasten to clarify that 'victim' and 'complainant/informant' are two distinct connotations in criminal jurisprudence. It is not always necessary that the complainant/informant is also a 'victim', for even a stranger to the act of crime can be an 'informant',**

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[1] **2022 (9) SCC 321**

and similarly, a 'victim' need not be the complainant or informant of a felony."

14.2 Later, the Apex Court, in the case of **ASIAN PAINTS LIMITED v. RAM BABU**[2], holds as follows:

> **"34. Section 2(*wa*)CrPC defines "*victim*" in plain and simple language as a "*person who has suffered any loss or injury caused by reason of the act or omission for which the accused person has been charged…*'. It is clear that Section 2(*wa*)CrPC has thoughtfully accorded an expansive understanding to the term "*victim*" and not a narrow or restricted meaning.**
>
> **35.** In the present case, there cannot be any two opinions, that ultimately, it is the appellant who has suffered due to the counterfeit/fake products being sold/attempted to be sold as having been manufactured by the appellant. **The appellant would suffer financial loss and reputational injury if such products would be bought by the public under the mistaken belief that the same belonged to the appellant's brand.**
>
> **36.** Similarly, Section 372CrPC stipulates that no appeal shall lie from any judgment or order of a criminal court except as provided for by CrPC by any other law for the time being in force. Section 372CrPC falls under Chapter XXIX which relates to appeals. Chapter XXIX also includes Section 378, beginning from Section 372, concluding with Section 394, and deals with all contingencies relating to appeals under CrPC.
>
> **37.** It would be worthwhile to first consider the scope of Section 378CrPC before reverting to Section 372CrPC.
>
> **38.** Section 378CrPC relates to appeal in case of acquittal and sub-section (3) thereof stipulates that

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[2] **2025 (10) SCC 372**

there shall be no appeal to the High Court under sub-section (1) or sub-section (2), which otherwise stipulates the condition necessary for maintaining an appeal under sub-section (1) or sub-section (2), except with the leave of the High Court.

39. Thus, on an isolated reading of Section 378(3)CrPC, the first impression is that leave of the High Court for maintaining an appeal to that Court is a mandatory condition. However, examining the issue in the facts of the present case, it has to be first considered as to whether Section 372CrPC would directly cover the situation, or be circumscribed by the provisions of Section 378CrPC.

40. We find that the High Court has taken an extreme direction while considering this issue by interpreting the term "*complainant*" to be only the person who actually filed the written complaint, namely, Mr Pankaj Kumar Singh. On this premise, it has gone on to hold that the appellant cannot be a "*victim*" as it is only the complainant who can maintain such appeal and further, that even the complainant Pankaj Kumar Singh could maintain the appeal only after seeking the leave of the High Court in view of the provisions of Section 378(3)CrPC. The High Court also held that "*this is a case instituted upon a police report and only in cases instituted upon private complaint, leave to appeal under Section 378(4)CrPC is maintainable. Therefore, leave to appeal against order of acquittal in appeal is also not maintainable in the instant case.*"

41. We are constrained to observe that the finding of the High Court that the appellant could not have maintained the appeal before it would amount to completely negating the proviso to Section 372CrPC. In our considered opinion, Section 372CrPC is a self-contained and independent section; in other words, it is a standalone section. Section 372CrPC is not regulated by other provisions of Chapter XXIX CrPC. The proviso to Section 372CrPC operates independently of and shall not be read conjointly with any other provision in CrPC, much less Section 378CrPC.

> **42. At the cost of repetition, we have indicated above as to who would be covered as a "*victim*" under Section 2(*wa*)CrPC. There is no doubt that the appellant is the "*victim*" herein. As explained in *Jagjeet Singh case [Jagjeet Singh v. Ashish Mishra, (2022) 9 SCC 321 : (2022) 3 SCC (Cri) 560]* , it is not necessary for the "*victim*" to also be the "*complainant*" or the "*informant*" in a given case."**

14.3. The Apex Court, in its latest judgment rendered in the case of **CELESTIUM FINANCIAL v. A. GNANASEKARAN**[3], has held as follows:

> "**6.3. The expression injury, as defined in Section 44 of the Penal Code, 1860 includes:**
>
> **"Any harm whatever illegally caused to any person, in body, mind, reputation or property."**
>
> **6**.3.1. Similarly, *Black's Law Dictionary* defines injury to include property damage, bodily harm, or violation of a legal right.
>
> 6.3.2. Additionally, the United Nations General Assembly's Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power (1985) provides a broad and inclusive definition of victim. According to Article 1 of the Declaration:
>
> "Victim means persons who, individually or collectively, have suffered harm through acts or omissions which involve physical or mental injury, emotional distress, economic loss or substantial impairment of their fundamental rights."

[3] **2025 SCC OnLine SC 1320**

6.3.3. Further, Article 2 extends the definition of victim to include immediate family members, dependents, or those who have intervened to assist a victim in crisis.

6.4. On a reading of the definition of 'victim', it is clear that the said expression is initially exhaustive and thereafter inclusive. The expression 'victim' means a person who has suffered any loss or injury. The loss or injury could be either physical, mental, a financial loss or injury. The expression injury could also be construed as a legal injury in a wider sense and not just a physical or a mental injury. The loss or injury must be caused by reason of an act or omission for which the accused person has been charged. Thus, it can be both by a positive act or negatively by an omission which is at the instance of the accused and for which such accused has been charged. Further, the expression 'victim' also includes his/her guardian or legal heir in the case of demise of the victim.

6.5. Thus, the expression 'victim' has been couched in a broad manner so as to include a person who has suffered any loss or injury. The expressions 'loss' or 'injury' themselves are of a very broad import which expressions also enlarge the scope of the expression 'victim'. Further, the expression 'victim' includes not only the person who has suffered any loss or injury caused by reason of any act or omission for which the accused person has been charged but also includes his or her guardian or legal heir which means that the definition of victim is inclusive in nature.

6.6. Having regard to the insertion of the proviso to Section 372 of the CrPC, we find that in the case of a victim who seeks to file an appeal, he or she could proceed under the proviso to Section 372 of the CrPC in the circumstances mentioned therein and need not prefer an appeal by invoking Section 378(4) of the CrPC which is in respect of appeals to be filed by a complainant. It may be that the complainant is a victim in certain cases and therefore, the victim has the right to file an appeal under the proviso to Section 372 of the

CrPC and need not proceed under Section 378(4) of the CrPC. However, if the complainant is not a victim and intends to file an appeal, in such a case a complainant would have to proceed under Section 378 of the CrPC which circumscribes the right to file an appeal by virtue of the conditions which are stipulated under the said Section.

6.6.1. The word 'victim' is derived from the latin word "victima" and originally contained the concept of sacrifice. In more contemporary times, the term 'victim' has been expanded to imply a victim of war, an accident, a scam, etc. As a scientific concept, according to Criminologist B. Mendelsohn (1976), a victim may be viewed as containing four fundamental criteria which are as follows:

• The nature of the determinant that causes the suffering. The suffering may be physical, psychological, or both depending on the type of injurious act.

• The social character of the suffering. This suffering originates in the victim's and others' reaction to the event.

• The nature of the social factor. The social implications of the injurious act can have a greater impact, sometimes, than the physical or psychological impact.

• The origin of the inferiority complex. This term, suggested by Mendelsohn, manifests itself as a feeling of submission that may be followed by a feeling of revolt. The victim generally attributes his injury to the culpability of another person.

Victimology thus is a social-structural way of viewing crime and the law and the criminal and the victim. Insofar as the injury is concerned apart from there being short time and long time physical injuries, there could also be economic or financial loss which are also injuries within the meaning and

definition of victim under clause (wa) of Section 2 of the CrPC."

14.4. This position finds further reinforcement in a recent pronouncement of the Apex Court in **SUNNY CHAUHAN v. STATE OF HARYANA**[4], wherein while issuing directions for the timely disposal of bail applications across the High Courts, the Apex Court holds as follows:

> "7. To ensure the timely disposal of bail applications by all the High Courts, certain suggestions have been put up before us, which we have enlisted below:
>
> (i) Bail applications may be listed on a weekly or fortnightly basis. For the same, an automated software could be utilized/developed, which would ensure that bail applications are listed after every two weeks.
>
> (ii) It may be made mandatory for the Union/State to file a status report before the first hearing. It may also be made compulsory for the counsel for the appellant/petitioner to serve a copy of the bail application, in advance, in the office of the Advocate General or any designated agency of the Union/State, and proof of such service should also be compulsory for filing the bail application.
>
> (iii) Depending on the total pendency and the resources available, fresh bail applications may be listed on alternate days, or at least once a week. Doing so would require mandatory representation of the Union/State, to whom an advance copy has already been supplied, as

[4] **SLP (Crl.) No. 1613/2026, decided on 11.05.2026.**

suggested above. Evolving such a procedure would also necessarily mean that the practice of issuing notice or admission of bail applications would have to be dispensed with.

(iv) Bail applications which are not taken up on a given date may be automatically re-listed. It goes without saying that if the bail applications could not be taken up due to heavy pendency and/or for any other unforeseen reason, the software utilized for listing them should ensure that they are re-listed within a week or on a priority basis, ideally before fresh bail applications are listed.

(v) The High Courts may also resolve to fix definite timelines for the disposal of the bail applications.

(vi) The High Courts may consider developing a practice of discouraging the Union/State counsel from seeking avoidable or casual adjournments by reminding them of the Court's solemn duty to protect the most precious fundamental right guaranteed under Article 21 of the Constitution of India.

(vii) This Court has also noticed that in NDPS matters, bail applications are not being heard on account of the nonavailability of the FSL reports. We understand that, pursuant to the directions issued by this Court on the 5 judicial side, most of the States have, by now, established forensic laboratories to ensure the timely submission of reports; however, much improvement is still required. The Hon'ble Chief Justices of the High Courts are, accordingly, requested to take up the matter with the respective State Government/s and other agencies to ensure that FSL reports are submitted within a reasonable period of time.

(viii) For the purpose of timely and effective adjudication of bail applications, the responsibility of Investigating Officers, especially in victim-centric cases, cannot be overstated. They must ensure, while submitting the investigation report/s, that: (a) The victims or their close family

> **have been duly associated; (b) They have been informed of the investigation report being filed; and (c) They have been informed of their right to participate in the proceedings and to engage their own counsel or seek legal aid counsel. It goes without saying that the victim has the right to participate at every stage of the proceedings, including at the time of hearing of the accused's bail application."**

(Emphasis supplied at each instance)

The elucidation of law by the Apex Court, in the afore-quoted judgments, would clearly indicate that a person who has suffered physical, mental, financial or legal injury, in its wider sense, would become a victim by reason of an act or omission for which the accused has been charged. Therefore, the Bank, in the case at hand, undoubtedly is in the position of a victim, who is entitled to enter into the proceedings for grant of bail of the accused. The concerned Court has erred in not permitting the petitioner to enter into the proceedings as a victim and to place its objections before the grant of any bail.

15. In the light of the issue standing answered in the afore-quoted judgments of the Apex Court, and the facts obtaining in the case at hand, considered on the touchstone of

the afore-stated principles of law, the petitioner becomes entitled to the relief that it has sought.

16. In view of the aforesaid, I pass the following:

ORDER

i) The Criminal Petition is **allowed.**

ii) The impugned order dated 27.04.2026 passed by the I Additional Chief Metropolitan Magistrate, Bengaluru in Criminal Case No.11116/2026 (arising out of FIR Crime No.242/2025) stands quashed.

Sd/-
(M.NAGAPRASANNA)
JUDGE

HR-List No.: 1 Sl No.: 12