

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.) No(s).2240-2241/2026

[Arising out of impugned final judgment and order dated 18-11-2025 in CRP Nos.8134/2024 & 9412/2021 passed by the High Court of Karnataka at Bengaluru]

LOKESH B.H & ORS.

PETITIONER(S)

VERSUS

STATE OF KARNATAKA & ANR.

RESPONDENT(S)

FOR ADMISSION

IA No. 40136/2026 - EXEMPTION FROM FILING O.T.

Date : 13-02-2026 This matter was called on for hearing today.

CORAM :

**HON'BLE MR. JUSTICE SANJAY KAROL
HON'BLE MR. JUSTICE NONGMEIKAPAM KOTISWAR SINGH**

Ms. Nina R. Nariman, *Amicus Curiae* (pro bono)

**For Petitioner(s) :Mr. Anand Sanjay M Nuli, Sr. Adv.
Mr. Ashritsai Torgal, Adv.
M/S. Nuli & Nuli, AOR**

**For Respondent(s) :Mr. Naveen Sharma, AOR
Mr. Swati Bhushan Shama, Adv.
Mr. S.K. Sharma, Adv.
Mr. Payal Gola, Adv.**

**Ms. Aishwarya Bhati, A.S.G.
Ms. Shreya Jain, Adv.
Ms. Khushboo, Adv.**

**Upon hearing the counsel the Court made the following
O R D E R**

- 1. The petitioner challenges the judgment and order dated 18.11.2025 in CRP Nos.8134 of 2024 and 9412 of 2024 passed by the High Court of Karnataka at Bengaluru.**

2. Mr. Naveen Sharma, learned counsel, accepts notice on behalf of respondent no.1. Hence, the formal service of notice on the said respondent is waived.
3. The pertinent question that arises for consideration in this petition is whether a man, who is in a live-in-relationship/a relationship in the nature of marriage with a woman, can be prosecuted for having committed an offence under Section 498A of the Indian Penal Code, 1860 or its corresponding Section in Bhartiya Nyaya Sanhita, 2023?
4. Let counter affidavit be filed within two (02) weeks. Rejoinder affidavit thereto, if any, be filed before the next date of listing, with advance service to the other side.
5. Considering the importance of the issue involved, we implead the Union of India through the Ministry of Law and Justice as a party respondent. Let amended cause title be filed within one week. The Registry is directed to carry out the necessary changes accordingly.
6. We request Ms. Aishwarya Bhati, learned Additional Solicitor General, to assist this Court on behalf of the Union of India (newly impleaded respondent).
7. Ms. Shreya Jain, learned counsel, submits that Ms. Aishwarya Bhati, learned Additional Solicitor General, will be filing her reply in due course. Permission granted.
8. Issue notice to respondent no.2. Let service of notice be effected through the concerned Station House Officer.

9. Dasti service, in addition, is permitted. Let steps for service be taken within one (01) week.

10. In the notice itself let it be mentioned that respondent no.2 is required to file the counter affidavit and reply to the interlocutory application(s), if any, before the next date of listing.

11. We also request and appoint Ms. Nina R. Nariman, learned counsel, who is present in the Court, as *amicus curiae* (pro bono) to assist the Court. The learned *amicus curiae* shall also file her written submissions before the next date of listing.

12. The Registry is directed to supply the complete paper book in digital form to the learned *amicus curiae* as well as the learned Additional Solicitor General within a period of three (03) working days.

13. The Registry shall print the name of the learned *amicus curiae* in the cause list.

14. List on 09.03.2026.

15. Also, there shall be stay of all further proceedings.

16. The Registry shall communicate this order to all concerned forthwith.

(D. NAVEEN)
COURT MASTER (SH)

(ANU BHALLA)
COURT MASTER (NSH)