

HONOURABLE SRI JUSTICE SURESH KUMAR KAIT

CRIMINAL PETITION No. 16987 of 2016

ORDER:

Vide present Criminal Petition, the petitioner/de facto complainant seeks cancellation of bail granted to the first respondent/accused vide order dated 03.12.2016 passed in CrI.M.P.No.1320 of 2016 by the learned First Additional Sessions Judge, Nalgonda.

Learned Counsel appearing on behalf of the petitioner/de facto complainant submits that the de facto complainant is having agricultural lands to an extent of Ac.12.34 ½ guntas in Sy.Nos.653,655,656 and 670 of Yallreddy Gudem revenue village, Narketpally Mandal. On 08.07.2010, the first respondent/accused had forged the signature of the petitioner/de facto complainant and prepared a false land purchase agreement disclosing that the petitioner has taken an amount of Rs.9.00 lakhs from the first respondent/accused. Moreover, based on the said document, the first respondent/accused instituted a civil suit vide O.S.No.26 of 2011 on the file of learned District Judge, Nalgonda.

Learned Counsel further submits that the first respondent and his associates threatened the petitioner/de facto complainant to withdraw the complainant lodged by him and leave Nalgonda, otherwise they will see his end. On such threat, though the petitioner approached the police, but they did not take any action.

It is well settled law that granting of bail to an accused is the discretion of the Court keeping in view the facts and circumstances of the case. The bail can be cancelled only if the order is perverse or any of the conditions imposed by the Court are found violated.

In the case on hand, the petitioner failed to establish that the first respondent/accused has violated any of the conditions imposed by the Court below. On the other hand, the petitioner made allegations in the petition filed before this Court that in view of threats from the first respondent/accused, he approached the police, but no action taken. This Court specifically put a query to the learned Counsel for the petitioner as to whether any complaint was filed by the petitioner alleging threat from the side of the first respondent, to which, he replied that no such complaint was lodged with the police.

In view of the facts recorded hereinabove, and further the fact that the petitioner has failed to establish that the first respondent/accused has extended threat and violated the conditions imposed in the bail order, I see no merit in the Criminal Petition,.

The Criminal Petition is dismissed accordingly.

Miscellaneous petitions pending consideration if any in the Criminal Petition shall stand closed in consequence.

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**JUSTICE SURESH KUMAR KAIT**

DATED 22<sup>ND</sup> December, 2016.  
Msnr<sub>x</sub>

