

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.6893 of 2017

ORDER:

1 This criminal petition is filed, by the petitioners-accused Nos.2 and 4, under Section 438 Cr.P.C., seeking anticipatory bail in Crime No.29 of 2017 on the file of the Station House Officer, Mirchowk Police Station, registered for the offences punishable under Sections 420, 468 and 471 of IPC.

2 The learned counsel for the petitioners strenuously submitted that the petitioners were falsely implicated in this case and hence this is a fit case to grant anticipatory bail to the petitioners.

3 *Per contra*, the learned Additional Public Prosecutor submitted that the petitioners herein along with other accused created the cancellation deed dated 03.09.2016 by impersonation.

4 On the other hand, Sri Mohd. Abdul Khader, the learned counsel for the de-facto complainant submitted that the petitioners created the cancellation deed dated 03.09.2016 to deprive the legal rights of the de-facto complainant and to cheat him.

5 It is the case of the prosecution that accused No.1 sold the property to the de-facto complainant under a registered sale deed dated 02.06.2012. It is the further case of the prosecution that the petitioners along with the other accused by impersonating the de-facto complainant executed the cancellation deed dated 03.09.2016. The gist of the allegations made in the complaint is that the petitioners along with the other accused forged the

signature of the de-facto complainant and created the cancellation deed dated 03.09.2016

6 The petitioners filed CrI.M.P.No.2246 of 2017 under Section 438 Cr.P.C on the file of the Court of the Special Judge for Economic Offences, Hyderabad and the same was dismissed on 25.07.2017. A perusal of the record reveals that investigation is still in progress.

7 The case diary prima facie reveals that petitioner No.1 / accused No.2 is one of the attestors of the cancellation deed dated 03.09.2016. A perusal of the record prima facie reveals the role played by the petitioners in creating the cancellation deed dated 03.09.2016.

8 Taking into consideration the nature of the offence alleged to have been committed by the petitioners and the stage of investigation, this Court is of the considered view that this is not a fit case to grant anticipatory bail to the petitioners.

9 In the result, the petition is dismissed.

T.SUNIL CHOWDARY, J

Date: 5th September, 2017

Kvsn