

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND STATE OF ANDHRA PRADESH**

TUESDAY, THE SIXTH DAY OF FEBRUARY,
TWO THOUSAND AND EIGHTEEN

**:PRESENT:
THE HON'BLE SMT JUSTICE T. RAJANI**

CRIMINAL PETITION NO: 951 OF 2018

Between:

Mohd.Noorul Haq, S/o.Mohd.ul Haq

.....Petitioner/Accused No.2

AND

The State of Telangana, Through its Public Prosecutor, High Court, High Court Buildings,
Hyderabad.

.....Respondent/Complainant

Petition under Section 438 of Cr.P.C praying that in the circumstances stated in the memorandum of grounds filed herein the High Court may be pleased to grant Anticipatory bail to the petitioner/Accused No.2, direct the SHO P.S. Banjara Hills or any arresting officer to release him on bail in the event of his arrest in Cr.No.864 of 2017 of P.S.Banjara Hills.

The petition coming on for hearing, upon perusing the Petition and the memorandum of grounds filed in support thereof and upon hearing the arguments of Mr.Mahesh Raje, Advocate Petitioner and learned Public Prosecutor (TG) for Respondent.

The Court made the following Order:

This petition is filed seeking for grant of anticipatory bail to the petitioner, who is A2, in Crime No.864 of 2017 on the file of Banjara Hills Police Station, Hyderabad. The offences alleged are under Sections 120(B), 193, 196, 205, 419, 420, 465, 468, 471, 506 r/w 34 IPC and Section 156(3) of Cr.P.C..

2. Heard the counsel for the petitioner and the Public Prosecutor appearing for the respondent.

3. The complaint does not make out the grievance of the complainant. The complaint shows that after developing the property, plots were allotted to her and later, accused No.1, according to her complaint, fabricated a GPA and filed a suit against the co-owners of the defacto complainant and obtained an injunction. Obviously, the injunction would be in favour of the defacto complainant, for which no grievance

can be expressed. She further says that the said suit was not prosecuted by the GPA holder, by colluding with the adjacent building owners. For that also she cannot have any grievance. The grievance of the defacto complainant is not evident from the complaint. Moreover, the role of this A2 is nowhere specifically stated.

4. Hence, considering the above, this court opines that this is a fit case for granting anticipatory bail.

5. Accordingly, the Criminal Petition is allowed. The petitioner is directed to surrender before the Station House Officer, Banjara Hills Police Station, Hyderabad, within 15 days from the date of this order. On such surrender, the petitioner shall be released on bail on executing a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum each to the satisfaction of the said Station House Officer. Further, on such release, the petitioner shall abide by the conditions mentioned under Section 438(2) Cr.P.C., as under:

- (i) The petitioner shall make himself available for interrogation by a police officer as and when required.
- (ii) The petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) The petitioner shall not leave India without the previous permission of the Court.

As a sequel, miscellaneous petitions pending consideration, if any, in this case shall stand closed.

ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

1. The III Additional Chief Metropolitan Magistrate, Nampally, Hyderabad.

2. The Station House Officer, Banjara Hills Station, Hyderabad
3. Two CCs to the Public Prosecutor (TG), High Court at Hyderabad (OUT)
4. One CC to MR.Mahesh Raje, Advocate [OPUC]
5. One spare copy



HIGH COURT

TR,J

DATED: 06.02.2018

CRL.P.NO.951 OF 2018

ANTICIPATORY BAIL



TRk
Dated: 08.02.2018

HIGH COURT

TR,J

DATED: 06.02.2018

CRL.P.NO.951 OF 2018

ANTICIPATORY BAIL

