

THE HON'BLE DR.JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.12228 OF 2018

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioner/A.1, for grant of bail in Crime No.17 of 2018 of Hayatnagar Police Station, Cyberabad, Rachakonda District, registered for the offences punishable under Sections 468, 471 and 420 read with 34 of IPC.

2. Heard the learned counsel for the petitioner/A.1 and the learned Additional Public Prosecutor representing the respondent-State and perused the record.

3. Learned counsel for the petitioner/A.1 would submit that firstly, the *de facto* complainant entered into an agreement of sale with the petitioner to sell plot No.8 admeasuring 311 square yards situated at Kuntloor Village, Hayathnagar, Ranga Reddy District. Thereafter, a sale deed was executed and registered in the year 2003. However, the *de facto* complainant filed a complaint against the petitioner making false allegations. The petitioner is a dialysis patient and he has to go for dialysis for the alternate days and ultimately, prayed to allow the petition.

4. The learned Additional Public Prosecutor opposed the grant of bail to the petitioner/A.1 and contended that the petitioner/A.1 had fabricated the registered sale deed dated 03.02.2003 *vide* document No.1469 of 2003 and ultimately, prayed to dismiss the petition.

5. As per the copy of the registered sale deed dated 03.02.2003 *vide* document No.1469 of 2003 filed before this Court, an extent of 311 square yards of land was sold in favour of the

petitioner/A.1 herein. The name of the executant is mentioned as P.Pardhasaradhi, S/o P.Narayana.

6. The specific contention of the learned Additional Public prosecutor is that the photo affixed to the registered sale deed does not belong to the *de facto* complainant. Further, the *de facto* complainant did not sign the said registered sale deed. It is fabricated and forged document. Under these circumstances, it can safely be concluded that there is a *prima facie* case against the petitioner/A.1 for the offences punishable under Sections 468, 471 and 420 read with 34 of IPC. The petitioner under dialysis is not a ground to allow the petition. The petition does not merit any consideration.

7. In the result, the Criminal Petition is dismissed.

Date: 27.11.2018
ssp

DR. SHAMEEM AKTHER, J

