

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

Crl.P.Nos.2665 and 2671 of 2019

COMMON ORDER:

Since the petitioner and the issue raised in these two Criminal Petitions are one and the same, they are heard together and being disposed of by this common order.

2. Crl.P.No.2665 of 2019 is filed under Section 438 of the Criminal Procedure Code for grant of anticipatory bail to the petitioner, who is accused in Cr.No.279 of 2019 on the file of Rajendranagar Police Station, Cyberabad, registered for the offence punishable under Section 420 IPC.

3. Crl.P.No.2671 of 2019 is filed under Section 438 of the Criminal Procedure Code for grant of anticipatory bail to the petitioner, who is accused in Cr.No.112 of 2019 on the file of Rajendranagar Police Station, Cyberabad, registered for the offences punishable under Sections 406 and 420 IPC.

4. Heard the learned counsel for the petitioner and the learned Public Prosecutor appearing for the respondent.

5. It has been contended by the learned counsel for petitioner that the petitioner has been falsely implicated in the above said crimes and he is not guilty of the aforesaid offences. The defacto-complainants have lodged complaints against the petitioner alleging that though the petitioner has taken amounts from them for selling house plots, he is not executing registered sale deeds in their favour. Since the approved layout was not sanctioned by the

competent authority, the petitioner is not in a position to execute the registered sale deeds in favour of the defacto-complainants. The allegations levelled against the petitioner are totally false and incorrect. It is contended that the petitioner is innocent of the said offences and a law abiding citizen and he would co-operate with the investigating authorities as and when required.

6. On the other hand, the learned Public Prosecutor contended that the investigation is under progress and before arresting the petitioner, the respondent would follow the procedure contemplated under Section 41 Cr.P.C.

7. This Court, having considered the rival submissions, is of the considered view that the request of the petitioner for grant of anticipatory bail cannot be considered. However, the respondent is directed to strictly follow the procedure contemplated under Section 41 Cr.P.C before taking any steps against the petitioner.

8. With the above observations, these Criminal Petitions are disposed of.

Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE ABHINAND KUMAR SHAVIL

Date : 15-05-2019
Prv