

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.2950 OF 2019

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973 (for short, 'Cr.P.C'), is filed by the petitioner/A.1 for grant of anticipatory bail in the event of his arrest in Crime No.24 of 2019 of Basheerabad Police Station, Vikarabad District, registered for the offences punishable under Sections 420, 465, 468, 471, 419, 460 and 120-B I.P.C.

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

3. The allegations in the complaint would go to show that the complainant's husband purchased the subject properties at different places from different persons, who in turn executed sale deeds in favour of the complainant; that her husband also paid the entire sale consideration; that while so, the sale transactions of the subject properties were brought by the present petitioner/A.1 and A.2 to the complainant and gained her confidence for the purpose of getting the above land bounded with barbed wire etc., they collected original passbooks and title deeds of the subject properties. It is further alleged in the complaint that when the husband of the complainant purchased property at Gulbarga District, A.1 assisted her husband; that A.1 with a dishonest and *mala fide* intention cheated the complainant by forging the documents by impersonation and executed sale deed in favour of third parties. Hence, the complaint.

4. Learned counsel for the *de facto* complainant, who was impleaded as proposed respondent No.2 in the criminal petition, submits that Accused No.2 is henchmen of Accused No.1 and they both brought fabricated documents bearing No.2140/2010, dated 16.12.2010, wherein Accused No.2 stood as a witness to the sale deed executed in favour of one Shahid Ahmed Choudhary and another; that Accused No.1 entered into an agreement as if he is the owner of the said property and cheated the persons. It is stated that Accused Nos.1 to 7 formed themselves into a gang and have committed several offences, as such unless and until the custodial interrogation of the petitioner/Accused No.1 is granted, the truth will not come to light. Thus, she prayed to dismiss the Criminal Petition.

5. A perusal of the First Information Report discloses that the present petitioner/A.1 claiming himself to be the owner of the properties belonging to the *de facto* complainant and her husband, has parted with several transactions, against which investigation is still pending.

6. Therefore, looking into nature of allegations levelled against the petitioner and the gravity of offence, I am not inclined to grant anticipatory bail to the petitioner/A.1.

7. Accordingly, the Criminal Petition is dismissed.

Miscellaneous petitions, if any, pending in this petition shall stand closed.

JUSTICE G SRI DEVI

JUNE 17, 2019
YVL

THE HONOURABLE JUSTICE G. SRI DEVI



CRIMINAL PETITION No.2950 OF 2019

Date:17.06.2019

YVL