

HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION NO.6537 OF 2019

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973 (Cr.P.C.), is filed by the petitioners/A-1 and A-2, for grant of anticipatory bail in Crime No.213 of 2019 of P.S. Abids, Hyderabad, registered for the offence punishable under Section 420 of the Indian Penal Code.

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

In the FIR, it is *inter alia* stated that on 26.08.2019 the father of the victim girl lodged a complaint stating that on 18.11.2018 his daughter Miss Shahzadi Hafsa was got engaged with Mr. Jaber Ali (A-1) at Jewel Function Hall at Masab Tank, Hyderabad, wherein he did engagement ceremony with all luxury needs and spent an amount of Rs.5.00 lakhs in the function, that on 20.01.2019, the bridegroom along with his parents came to his house and requested for hand loan of Rs.7.00 lakhs, on that he handed over Rs.6.00 lakhs to Mr. Mir Mustafa Ali (A-2) on 22.01.2019 but after some days, when called, both the petitioners/A-1 and A-2 were not responding and later he came to know that A-1 has chosen another lady to settle the marriage on 26.08.2019 without any information to them. Hence, he prayed to take necessary action against the petitioners/A-1 and A-2.

Learned counsel for the petitioners/A-1 and A-2 would submit that the petitioners/A-1 and A-2 are innocent and they have not committed any offence as alleged and the complainant, without any reason, made obnoxious allegations against them with a devious intention. He further submitted that there is no material to show the

allegation of giving Rs.6.00 lakhs and the police are disturbing the privacy of the petitioners with an intention to create pressure and make payment as demanded by the *de facto* complainant. Hence, he prayed to grant anticipatory bail to the petitioners/A-1 and A-2.

Learned Additional Public Prosecutor representing the respondent-State opposed to grant anticipatory bail to the petitioners/A-1 and A-2.

As seen from the contents of the F.I.R., there are specific allegations against the petitioners/A-1 and A-2 that they have got the wedding engaged with the daughter of the *de facto* complainant by spending Rs.5.00 lakhs and taking Rs.6.00 lakhs as hand loan and later settled marriage with another lady.

Having regard to the facts and circumstances of the case, nature and gravity of the offence and as the petitioners/A-1 and A-2 cheated the *de facto* complainant and his daughter, this Court is not inclined to grant anticipatory bail to the petitioners/A-1 and A-2.

The Criminal Petition is, accordingly, dismissed. However, if the petitioners/A-1 and A-2 surrender before the competent Court within a period of fifteen days from today and apply for regular bail, the same shall be considered by the said Court on the same day, in accordance with law.

Miscellaneous applications, if any, pending shall stand dismissed.

(G. SRI DEVI, J)

31st October 2019
RRB