HON'BLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.6847 of 2019

ORDER :

Petitioners, who are A1 and A3 in Cr.No.819 of 2019 on the file of the S.H.O. Banjara Hills Police Station, Hyderabad City, registered for the offences punishable under Sections 420, 406, 465 and 506 IPC, filed this petition under Section 438 Cr.P.C. seeking anticipatory bail.

2. Heard learned counsel for the petitioners/A1 and A3 and the learned Additional Public Prosecutor appearing for the respondent State.

3. Learned counsel for the petitioners submits that the complainant in stead of proceeding for recovery of the amounts by initiating civil proceedings against the concerned persons i.e., Taha Constructions (A2) to whom the amount of Rs.26,62,500/- were transferred through RTGS and A4 to whose account, the alleged cheque amount was credited, made this complaint by falsely implicating the petitioners. He further submits that there are no specific allegations against the petitioners and there is no contract or payments made to the petitioners by the complainant. He further submits that the petitioners are law abiding citizens and ready to co-operate with the investigating agency. He further submits that the petitioners are ready to abide by the conditions imposed by this Court if they are

released on bail and hence, he prays to grant anticipatory bail to the petitioners.

4. On the other hand, the learned Additional Public Prosecutor representing the State vehemently opposed the bail application.

5. As seen from the contents of the complaint, the 1st petitioner-A1 is the family friend of the de facto complainant for the last 10 years. In the month of April, 2019, A1 along with other accused approached the de facto complainant and informed that there are plot Nos.18 and 19 in Survey No.344, admeasuring 500 square yards at Balapur village and Mandal, Ranga Reddy District, at the rate of Rs.21,300/- per square yard. Believing their words, she has paid an amount of Rs.26,62,500/- through cash and RTGS to Taha Construction towards advance amount for purchase of the said plots and got agreement of sale with the owner by name Khaiser @ Qutubuddin i.e., 2nd petitioner-A3 and they have obtained 45 days time to get the plots registered in her name. In the meanwhile, one Shakil (A4), who is a resident of Mehdipatnam, approached through A1 and informed that there is no time period to register and instructed to pay Rs.15,00,000/- and accordingly, she has given a cheque for Rs.15,00,000/- through ICICI bank, Banjara Hills to A1 towards part of consideration of sale transaction. Later on, she has

contacted A1 and A3 for registration of the said property, but they have started giving evasive reply. Thereafter, when she enquired about the ownership of the above property, it has come to her knowledge that the 2nd petitioner-A3 is not the owner of the property and A1 and A3 have cheated the de facto complainant.

6. Looking into nature of allegations leveled against the petitioners and their involvement in the sale transaction with the de facto complainant, I am not inclined to grant anticipatory bail to the petitioners.

7. Accordingly, the Criminal Petition is dismissed. As a sequel, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE G. SRI DEVI

DATED: 06.11.2019.
Hsd