

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**TUESDAY, THE SEVENTEENTH DAY OF DECEMBER
TWO THOUSAND AND NINETEEN**

**:PRESENT:
THE HON'BLE JUSTICE G.SRI DEVI**

CRIMINAL PETITION NO: 7543 OF 2019

Between:

Mohd. Afzal Khan Nusrath, S/o. Mohd. Akbar Khan

Petitioner/Accused No.1

AND

The State of Telangana, Rep. by its Public Prosecutor, High Court of Judicature of Telangana
Hyderabad.

Respondent/Complainant

Petition under Section 438 of Cr.P.C, praying that in the circumstances stated in the petition and the grounds filed therein, the High Court may be pleased to direct the respondent to enlarge the petitioner/Accused No.1 on bail in the event of petitioner's arrest in Crime No. 305 of 2019, dated 04-10-2019 on the file of PS Sadasivept, Sanga Reddy District.

Counsel for the Petitioner : SRI MIRZA SHAH NAWAZ BAIG

Counsel for the Respondent : ADDL. PUBLIC PROSECUTOR

The Court made the following;

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.7543 of 2019

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioner/A-1 seeking to grant anticipatory bail in the event of his arrest in Crime No.305 of 2019 on the file of Sadasivpet Police Station, Sanga Reddy District, registered for the offences punishable under Sections 406, 420, 468 and 471 read with Section 120-B IPC.

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

3. Learned counsel for the petitioner/A-1 would submit that all the allegations levelled against the petitioner are false, fabricated and concocted for the purpose of the case; that there is no iota of truth in the allegations levelled against the petitioner; that the petitioner has given his GPA to one Syed Nizamuddin @ Faisal for his property situated at Maddikunta Village and Gram Panchayat, Sanga Reddy District through a registered document; that thereafter the said property was sold to Mohd. Hyder Siddiqui-accused No.3; that prior to the present complaint, the de facto complainant has filed O.S.No.119 of 2019 for specific performance before the learned Principal District Judge, Sanga Reddy District, against the petitioner, which is subjudice; that no case whatsoever has been made out against the present petitioner; that the present complaint has been filed with an ulterior motive and only to wreck

vengeance; and that the petitioner is a law abiding citizen and is ready to abide by any conditions that may be imposed by this Court in the event of his enlargement on anticipatory bail.

4. Learned Additional Public Prosecutor vehemently opposed to grant anticipatory bail to the petitioner.

5. Looking into the nature of allegations levelled against the petitioner and the facts and circumstances of the case, without delving into the merits of the case, I am inclined to grant anticipatory bail to the petitioner.

6. The Criminal Petition is accordingly allowed. The petitioner is directed to surrender before the Station House Officer, Sadasivpet Police Station, Sanga Reddy District, within a period of 15 days from the date of this order. On such surrender, the said Station House Officer shall release the petitioner/A-1 on bail on his executing a personal bond to the tune of Rs.15,000/- (Rupees Fifteen thousand only) with two sureties for the like amount each to his satisfaction. Further, the petitioner shall abide by the conditions stipulated in Section 438(2) Cr.P.C and co-operate with the Investigating Officer in investigating the case.

7. Miscellaneous applications, if any pending in this criminal petition, shall stand closed.

SD/- K.SAILESHI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Judicial First Class Magistrate, (Special Mobile), Sangareddy.
2. The Station House Officer, Sadasivpet Police Station, Sangareddy.
3. Two Ccs to Public Prosecutor, High Court of Telangana at Hyderabad (OUT)
4. one CC to Sri Mirza Shah Nawaz Baig, Advocate (OPUC)
5. one Spare Copy

HIGH COURT

GSD,J

DATE: 17-12-2019

ORDER

CRL.P. NO. 7543 OF 2019

PETITION ALLOWED

