

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

TUESDAY, THE SEVENTEENTH DAY OF DECEMBER
TWO THOUSAND AND NINETEEN

:PRESENT:

**THE HONOURABLE JUSTICE G SRI DEVI
CRIMINAL PETITION NO: 8028 OF 2019**

Between:

Maninder Singh Mistry, S/o. Niranjan Singh Mistry,

Petitioner/Accused No.1

AND

The State of Telangana, Represented by its PP High Court at
Hyderabad.

Respondent

Petition under Section 438 of Cr.P.C, praying that in the circumstances stated in the grounds filed in support of the Criminal Petition, the High Court may be pleased to grant anticipatory bail to the petitioner/accused No.1 in Cr.No.293/2019 of P.S. WPS, CCS, DD and direct the police to release the petitioner/Accused No.1 on bail in event of arrest in Cr.No.293 of 2019 of PS WPS, CCS, DD upon such terms and conditions as this Honourable Court deems fit and proper under the circumstances of the case and in the interest of justice.

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of SRI APURVA M GOKHALE Advocate for the Petitioner and the ADDITIONAL PUBLIC PROSECUTOR for the Respondent, the Court made the following.

ORDER:

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.8028 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 their arrest in Crime No.293 of 2019 on the file of Women Police Station, DD, Hyderabad, registered for the offences punishable under Sections 498-A IPC and Section 6 of the Dowry Prohibition Act.

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

3. The case of the prosecution in brief is that the de facto complainant lodged a complaint stating that accused No.1 is her husband, accused Nos.2 and 3 are her in-laws; that four months after her marriage, accused No.1 started abusing her for the dowry; that accused No.1 used to beat her and used to drink all night; that accused No.2 used to support accused No.1; that the accused asked for flat and when she refused all the accused beat her; that the accused used to treat her like maid and ill-treated her; that accused No.1 and accused No.2 started bothering her if she does not ask for gold from her parents.

4. Learned counsel for the petitioner/A-1 submitted that the petitioner has filed a petition for divorce against the de facto complainant on 10.01.2019 and the same is pending on the file

of the Judge, Family Court at Hyderabad; that the de facto complainant entered her appearance and also participated in the counseling in the said case; that thereafter, as a counter blast to the said case, the present complaint has been filed; that the petitioner has not been served with any notice under Section 41-A Cr.P.C; that the allegations levelled against the petitioner are all false and only concocted for the purpose of this case; and that the petitioner is ready to abide by any conditions that may be imposed by this Court in the event of his enlargement on anticipatory bail.

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

6. Admittedly, there are matrimonial disputes between the de facto complainant and the petitioner. Thus, having regard to 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.

7. The Criminal Petition is accordingly allowed. The petitioner is to surrender before the Station House Officer, Women Police Station, DD, Hyderabad, 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.

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

SD/- N.CHANDRA SEKHAR RAO
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The XIII Additional Chief Metropolitan Magistrate at Nampally, Hyderabad.
2. The Station House Officer, PS., WPS., CCS, DD
3. One CC to SRI. APURVA M GOKHALE Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR, High Court at Hyderabad.[OUT]
5. One Spare Copy

GR

HIGH COURT

GSDJ

DATED:17/12/2019

ORDER

CRLP.No.8028 of 2019

BAIL

