IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

TUESDAY, THE TWENTY NINTH DAY OF SEPTEMBER

TWO THOUSAND AND TWENTY

PRESENT

THE HONOURABLE SRI JUSTICE K. LAKSHMAN

CRIMINAL PETITION NO: 3954 OF 2020

Between:

1. Mohd. Mazher Ul Haq, S/o Late. Mohd Jaffer, Aged about. 45 years, Occ. Private employee, R/o. H.No.20-4-973/8/A, Khana Bagh, Chowk, Hyderabad, T.S.
2. Saniya Fatima @ Yasmeen, D/o. Late. Mohd Jaffer, Aged about. 38 years, Occ. House Hold, R/o H.No.20-4-973/8/A, Khana Bagh, Chowk, Hyderabad, T.S.

...PETITIONER/ACCUSED 1 & 2

AND

The State of Telangana, Through SHO, Police Station Hussaini Alam, Rep. by Public Prosecutor, High Court of Judicature, For the state of Telangana

...RESPONDENT

Petition under Section 439 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to relax the condition to report before the station house officer police station Hussaini Alam Hyderabad imposed in Crlp. MP. No.349 of 2020 dated 15-06-2020 by the Honble V Metropolitan Session Judge Nampally Hyderabad by deleting the following clause the petitioners /A1 and A2 are also direcrted to report before Station House Officer, Hussaini Alam on every Saturday in between 03.00PM to 05.00 PM till the date of filling of charge sheet.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri MOID AHMED Advocate for the Petitioner and the Public Prosecutor on behalf of the sole Respondent.

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K. LAKSHMAN

CRIMINAL PETITION No.3954 OF 2020

ORDER:

This is an application to relax the condition imposed by the Court below in the order dated 15.06.2020 in Crl.M.P.No.349 of 2020.

2. The petitioners herein are A-1 and A-2 in Crime No.211 of 2020 pending on the file of P.S.Hussaini Alam. The offence levelled against the petitioners is under Section 304-B of IPC. The V-Additional Metropolitan Sessions Judge, Nampally, Hyderabad has granted regular bail to the petitioners herein vide order dated 15.06.2020 in Crl.M.P.No.349 of 2020 in Crime No.211 of 2020 on certain conditions including the condition that the petitioners/A-1 and A-2 shall report before the SHO, Hussaini Alam on every Saturday between 2 and 3 p.m. till completion of investigation and filing of charge sheet.

3. Heard learned counsel for the petitioners and the learned Public Prosecutor. Perused the record.

4. Learned counsel for the petitioners would submit that the petitioners herein have been reporting before the SHO, Hussaini Alam Police Station in compliance of the order dated 15.06.2020 in Crl.M.P.No.349 of 2020. There is no allegation of violation of said condition by the petitioners herein. He would further submit that the

Police have completed investigation and mere filing of charge sheet is left over.

5. On the other hand, learned Public Prosecutor, on instructions, submits that the Police have to receive the FSL report and the investigation is still pending.

6. Considering the said aspects and also the aspect that the Police have completed the investigation and they have to receive report from FSL for filing charge sheet, this Court is inclined to modify/relax the said condition of reporting before SHO, Hussaini Alam Police Station on every Saturday between 2 and 3 p.m. The said condition is relaxed with a direction to the petitioners/A-1 and A-2 to report before the said SHO, Hussaini Alam Police Station monthly once i.e. on 3rd Sunday between 10 a.m. and 5 p.m. till filing of charge sheet.

7. Petition is allowed accordingly.

Miscellaneous petitions pending, if any, shall stand disposed of.

Sd/- B. SATYAVATHI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The V Additional Metropolitan Sessions Judge, Hyderabad.
2. The Station House Officer, Police Station Hussaini Alam, Hyderabad.
3. One CC to SRI MOID AHMED Advocate [OPUC]
4. Two CC's to the PUBLIC PROSECUTOR, High Court at Hyderabad [OUT]
5. Two CD Copies.

TL

HIGH COURT

KL,J

DATED:29/09/2020



ORDER

CRLP.No.3954 of 2020

ALLOWING THE CRIMINAL PETITION.

07/10/2020.