

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
TUESDAY, THE EIGHTH DAY OF JUNE TWO THOUSAND AND TWENTY ONE

:PRESENT:

THE HONOURABLE JUSTICE G SRI DEVI
CRIMINAL PETITION NO: 3996 OF 2021

Between:

Syed Afsar Pasha Quadri, S/o. Late Syed Anwar Pasha Quadri

...Petitioner/Accused

AND

State of Telangana, rep. by its Public Prosecutor, High Court of Telangana, at Hyderabad through SHO Town I, Nizamabad.

...Respondent/Complainant

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 enlarge the petitioner on anticipatory bail in Crime No.111 of 2021 dated: 07/04/2021 on the file of Station House Officer, Town -I Police Station, Nizamabad, Telangana, in the event of the petitioner being arrested by the respondent police, 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 SMT. G. JHANSI Advocate for the Petitioner and of Assistant PUBLIC PROSECUTOR for the Respondent, the Court made the following.

ORDER:

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.3996 of 2021

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioner/accused seeking to grant anticipatory bail in the event of his arrest in Cr.No.111 of 2021 on the file of Nizamabad I Town Police Station, Nizamabad District, registered for the offences punishable under Section 420 IPC and under Section 82 of the Registration Act.

2. Heard learned counsel for the petitioner/accused, learned Assistant Public Prosecutor appearing for the respondent-State and perused the record.

3. The Joint Sub-Registrar, Nizamabad, lodged a complaint stating that the petitioner/accused has registered six sale deeds by revoking GPA and by giving a false affidavit to the Sub-Registrar without having any right or title over the subject lands.

4. Learned counsel for the petitioner/accused would submit that the allegations against the petitioner are concocted and baseless and a false case has been foisted against him in order to harass him. He would further submit that even as per the complaint, no *prima facie* case is made out against the petitioner and there are no ingredients in the complaint to attract the alleged offences. He would also submit that the petitioner is not involved in any other crime prior to this occurrence and he is a law abiding citizen and ready to abide by any condition that may be imposed by this Court in the event of his enlargement on anticipatory bail.

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

6. Having regard to the facts and circumstances and in view of the nature of allegations leveled against the petitioner and also in view of

peculiar conditions of pandemic COVID-19 prevailing in the country, without delving into the merits of the matter, I am inclined to grant anticipatory bail to the petitioner/accused.

7. The Criminal Petition is accordingly allowed and the petitioner/accused is granted anticipatory bail subject to the following terms and conditions:

(i) The petitioner/accused is directed to surrender before the Station House Officer, Nizamabad I Town Police Station, Nizamabad District, within a period of 15 days from the date of this order and on such surrender, the said Station House Officer shall release the petitioner/accused on bail on his executing a personal bond to the tune of Rs.1,00,000/- (Rupees one lakh only) with two sureties for the like sum each to his satisfaction.

(ii) On such release, the petitioner/accused shall appear before the Investigating Officer on every Saturday between 10.00 AM and 2.00 PM., from July, 2021 onwards, till completion of investigation and filing of the charge sheet.

(iii) The petitioner/accused shall cooperate with the investigation and shall furnish all the registered documents before the investigating authorities and he shall take steps to cancel the registered sale deeds executed in favour of the vendees within two months from today, and shall also return the consideration amount received through the said registered sale deeds within two months from today, failing which, liberty granted to the petitioner shall stand cancelled automatically and he shall be taken into custody forthwith.

(iv) The petitioner/accused shall abide by the other conditions stipulated in Section 438(2) Cr.P.C.

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

SD/- K.SHYLESHI
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The 1st Additional Judicial First Class Magistrate at Nizamabad.
2. The Special Sessions Judge for Trial of Cases Relating to Atrocities Against Women-Cum-XI Additional District Judge, Nizamabad.
3. The S.H.O., Town -I Police Station, Nizamabad, Telangana.
4. One CC to SMT. G. JHANSI, Advocate [OPUC].
5. Two CCs to PUBLIC PROSECUTOR, High Court for the State of Telangana at Hyderabad [OUT].
6. One spare copy
ZEE

HIGH COURT

GSDJ

DATED:08/06/2021



ORDER

CRLP.No.3996 of 2021

BAIL