

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION NO.682 OF 2022

ORDER:-

This petition is filed under Sections 437 and 439 of Code of Criminal Procedure, 1973 (for short "Cr.P.C") seeking regular bail to the petitioners/A.2 to A.5 in connection with Crime No.695 of 2021 of Patancheru Police Station, Sangareddy District, wherein the petitioners are alleged to have committed the offence punishable under Section 307 read with 34 of the Indian Penal Code, 1860 (for short 'IPC').

2. The case of prosecution is that a report was lodged by the *de facto* complainant stating that on 13.12.2021 at 09.40 p.m., A.1 along with A.2 to A.5 with to the complainant's house intent to kill Praveen by keeping previous grudges in their mind. A.1 attacked on Praveen with a sword, while scuffle going between A.1 and Praveen, then A.1's son Shravan stabbed Praveen on his back with a knife. Praveen took the knife from his back and tried to rescue from them. During the scuffle A.1 got injuries. Meantime, Chiranjeevi, who is Praveen's brother, went there and tried to rescue Praveen. During that scuffle, Chiranjeevi also got injuries and remaining all persons restricted Chiranjeevi from rescuing his brother Praveen. On seeing the incident, colony people gathered there, on which the above said persons ran away from there. Later, Chiranjeevi shifted the Praveen to Government Hospital, Patancheru, on

a bike and later admitted in Gandhi Hospital Secunderabad for better treatment. Basing on the said report, the present crime is registered.

3. Heard Mr.Raju Jarpala, learned counsel for the petitioners, and learned Assistant Public Prosecutor for the respondent-State.

4. Learned counsel for the petitioners submits that earlier Crime No.613 of 2021 under Section 306 IPC was registered against the *de facto* complainant's wife, his brother Praveen, Chiranjeevi and others, as such, the petitioners have been implicated in this case falsely. He further submits that even as per the remand report also, petitioners have not inflicted any injuries. It is stated in the remand report that while scuffle was going between A.1 and Praveen, the JCL boy went there with a knife and stabbed Praveen on his back with the knife, Praveen took the knife from his back and tried to rescue from accused persons, during the scuffle A.1 and JCL boy got injuries, meantime LW.10 went there and tried to rescue his brother Praveen, during that scuffle Chiranjeevi also got injuries and remaining accused A.2 to A.5 restricted Chiranjeevi from rescuing his brother Praveen. He submits that except that there are no other allegations against the petitioners. Further, the petitioners were remanded to judicial custody on 14.12.2021 and since then they have been languishing in jail. Hence, petitioners' case may be considered for grant of bail.

5. On the other land, learned Assistant Public Prosecutor submits that investigation is still pending and so far ten witnesses were examined

and medical report is awaited. Hence, at this stage, the petitioners are not entitled for bail.

6. Taking into consideration the fact that there are no specific overt acts against the petitioners with regard to inflicting injuries, they are languishing in jail from the last 50 days and taking into consideration of the counter case in Crime No.613 of 2021, this Court deems it appropriate to grant bail to the petitioners/A.2 to A.5.

7. Accordingly, this Criminal Petition is allowed and the petitioners/A.2 to A.5 shall be enlarged on bail on their executing personal bonds for a sum of Rs.20,000/- (Rupees twenty thousand only) each with two sureties for a like sum each to the satisfaction of the VII Additional District and Sessions Judge, Sangareddy

Miscellaneous applications pending, if any, shall stand closed.

LALITHA KANNEGANTI, J

Date :01.02.2022

mar