

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.2600 of 2022

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioner/A3, for grant of anticipatory bail in Crime No.111 of 2022 of Pet Basheerabad Police Station, Cyberabad Commissionerate, registered for the offence punishable under Section 307 of I.P.C.

2. Heard the learned counsel for the petitioner/A3, learned Assistant Public Prosecutor, appearing for the respondent-State and perused the record.

3. The case of the prosecution is that on 14.02.2022, at about 7:00 hours, the *de facto* complainant lodged a report stating that on 13.02.2022 at about 21:30 hours, himself along with others on one side and the accused on the other were quarrelling about financial issue near DRS School Ground, Dhulapally. In the meantime, one Mazar came there to pick up the complainant, then A.1 questioned him about his involvement in the quarrel and stabbed him on his stomach with knife. It is further alleged that the accused persons

attacked them with knife and chilli powder with an intention to kill them.

4. Learned counsel for the petitioner would submit that this is a case and counter case. He submits that the complaint given by the complainant was registered as Crime No.111 of 2022, whereas the complaint given by the petitioner herein was registered as Crime No.112 of 2022. He submits that in fact, both the complainant and petitioner and others sustained grievous injuries and with an apprehension that the petitioner will lodge the complaint, the present complaint is lodged and the petitioner is implicated in this case. He submits that the case of the petitioner may be considered for grant of bail.

5. Learned Assistant Public Prosecutor also does not dispute the fact that it is a case and counter case. He submits that so far, four witnesses were examined and investigation is pending.

6. There are no specific allegations against the petitioner/A3. The overtacts are attributed against Accused No.1 only, who was granted bail by this Court in CrI.P.No.1859 of 2022, dated 07.03.2022. Since the case of the petitioner/A.3 also stands on the same footing, it is appropriate to grant bail to the petitioner/A.3 also.

7. The Criminal Petition is therefore, allowed. The petitioner-accused No.3 shall surrender before the Station House Officer, Pet Basheerabad Police Station in connection with Crime No.111 of 202 within one week from today and on such surrender and executing a personal bond for Rs.20,000/- (Rupees twenty thousand only) with two sureties for a like sum each to the satisfaction of the said Station House Officer, he shall be released on bail. It is made clear that no further extension of time will be granted. The petitioner shall cooperate with the investigation and he shall appear before the police once in a fortnight i.e., on second and fourth Saturday between 10:00 AM and 1:00 PM till filing of charge sheet.

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

K.SURENDER, J

Date: 29.03.2022
YVL