

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

**MONDAY, THE TWENTY SECOND DAY OF AUGUST
TWO THOUSAND AND TWENTY TWO**

**PRESENT
THE HONOURABLE SRI JUSTICE K.SURENDER**

CRIMINAL PETITION NO: 6951 OF 2022

Between:

Sohail Mubarak Al Kaseri, S/o. Mubarak Awad Al Kaseri, Aged about 31 years, Occ
Business, R/o. 23-2-282, Near Water Tank, Moghalpura, Hyderabad, T.S.

...PETITIONER/ACCUSED

AND

The State of Telangana, Rep. by its Public Prosecutor, High Court for the State of
Telangana, at Hyderabad

...RESPONDENT/COMPLAINANT

Petition under Section 437 & 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 enlarge the petitioner / accused on bail in Crime No. 95 of 2022 of
Police Station Moghalpura, Hyderabad, on any condition or conditions and may
pass

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

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.6951 OF 2022****ORDER:**

This Criminal Petition is filed under Sections 437 and 439 of Code of Criminal Procedure, 1973 (for short "Cr.P.C") seeking regular bail to the petitioner who is arrayed as Accused in Crime No.95 of 2022 pending on the file of Station House Officer, Mogalpura Police Station, Hyderabad registered for the offence under Section 307 of Indian Penal Code.

2. Heard learned counsel for the petitioner/Accused and the learned Assistant Public Prosecutor for the respondent-State. Perused the record.

3. The petitioner is in jail since 30.06.2022 as he surrendered before the VIII Additional Chief Metropolitan Magistrate at Hyderabad. The present crime was registered on 28.06.2022. The case of the *de facto* complainant is that there are disputes regarding the property and the petitioner who is the brother was harassing mentally his mother and the complainant to transfer the property in his name. Thereafter, the complainant's brother filed a partition suit which is also pending adjudication and the civil Court

granted a restraint order against this petitioner. Keeping the said issue in mind it is alleged that the petitioner forced to transfer the entire property in his name and thereafter attacked the complainant with a knife and stabbed him several times.

4. Learned counsel for the petitioner submits that outcome of the altercation is the pending civil disputes as such the petitioner is entitled to be released on bail.

5. On the other hand learned Assistant Public Prosecutor submits that there were eight criminal cases which were registered against the petitioner. Learned counsel for the petitioner submits that the said cases were already decided and ended in acquittal.

6. In the said circumstances, keeping in view the antecedents against the petitioner and the way in which he had attacked his brother, the petitioner is not entitled for bail at this stage.

7. Accordingly, the Criminal Petition is dismissed.

Miscellaneous applications, pending if any, shall stand closed.

Sd/-P.PADMANABHA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To

1. The VIII Additional Chief Metropolitan Magistrate, at Hyderabad.
2. The Station House Officer, Mogalpura Police Station
3. Two CCs to the Public Prosecutor (TG), High Court for the State of Telangana at Hyderabad (OUT)
4. One CC to Sri Mustafa Basith, Advocate [OPUC]
5. Two CD Copies
6. One Spare Copy

Kj.

HIGH COURT

DATED:22/08/2022

ORDER

CRLP.No.6951 of 2022



DISMISSING THE CRL.P.

⑧ VLV
10/10/22