

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION NO.10141 OF 2021

ORDER:-

This petition is filed under Section 438 of the Code of Criminal Procedure, 1973 (for short "Cr.P.C.") seeking pre-arrest bail to the petitioner in the event of his arrest in connection with Crime No.91 of 2021 of Jogipet Police Station, Sangareddy District, registered for the offences punishable under Sections 419, 420, 447, 467, 468 and 471 read with 34 of the Indian Penal Code.

2. The case of prosecution is that one Badrunnisa Begum is related to the *de facto* complainant and that she is the owner and possessor to an extent of Ac.25.12 guntas of land in Survey Nos.791/A, 792 and 796 of Gongloor Village, Pulka Mandal, which she was acquired under a decree dated 31.07.1957 in O.S.No.65/1 of 1955 on the file of the II Judge, City Civil Court, Hyderabad. On 08.04.2021, one Venkata Ratnakar along with his henchmen came to the land and tried to interfere with their possession and on questioning, he produced a Xerox copy of the sale deed No.799/19, dated 13.02.2021, under which he purchased the land from Smt.Badrunnisa Begum. But, the said Badrunnisa Begum expired much prior to the date of sale. In the sale deed the photo of the Badrunnisa Begum does not belongs to her and her father's name is Khal Shareef, which shows that the sale deed is forged and fabricated one by

impersonating Badrunnisa Begum. Basing on the said report, the present crime is registered.

3. Heard Mr.M.P.Chandramouli, learned Senior Counsel, appearing on behalf of the petitioner, and learned Assistant Public Prosecutor for the respondent-State.

4. Learned Senior Counsel submits that originally a private complaint was filed stating that one V.Venkata Ratnakar has produced the sale deed executed by one Badrunnisa Begum, who expired long back. He submits that the petitioner, who has nothing to do with the alleged transaction, has been arrayed as A.3. It is submitted that the petitioner is unconnected with the alleged offence. As such, his case may be considered for grant of pre-arrest bail.

5. On the other hand, learned Assistant Public Prosecutor submits there are about eight cases registered against the petitioner and that petitioner is a habitual offender.

6. In reply to the same, learned Senior Court submits list of cases registered against the petitioner.

1. Crime No.198 of 2009 : is against a case filed by customer against Axis Bank before Ombudsman and the Bank filed a case against the customer where the petitioner was later included as accused and same was closed long back.

2. Crime No.36 of 2020 : is also a case of land transaction of sale between one Meharunnisa Begum and Mr.Isak where

in the petitioner was shown as accused and this case also closed.

3. Crime No.396 of 2021 : a traffic offence case and it was also closed.
4. Crime No.74 of 2021 : ploughing of land by a neighbor where in the petitioner was later on included as accused. A quash petition is pending.
5. Crime No.110 of 2021 : it is a case filed as a counter blast to the case filed by the petitioner in Crime No.109 of 2021. A quash petition pending.
6. Crime No.115 : is a case filed by one Mrs Teharunnis Begum against her tenant where in the petitioner is added as an accused.

He submits that in all these cases the petitioner has been implicated falsely.

7. Taking into consideration the fact that even as per the complaint one V.Venkata Ratnakar has brought the document into existence and as there are no specific overt acts against the petitioner, this Court deems it appropriate to grant pre-arrest bail to the petitioner/A.3.

8. Accordingly, this Criminal Petition is allowed. Petitioner shall surrender before the Station House Officer, Jogipet Police Station, Sangareddy District, in connection with Crime No.91 of 2021 within one week from today and on such surrender and executing a personal bond for a sum 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.

Consequently, miscellaneous applications pending, if any, shall stand closed.

LALITHA KANNEGANTI, J

Date :04.01.2022

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