

THE HON'BLE SRI JUSTICE M. LAXMAN

CRIMINAL PETITION No.2966 of 2023

ORDER:-

This petition is filed under Sections 438 of Code of the Criminal Procedure, 1973 (for short 'Cr.P.C.') seeking to enlarge the petitioner/accused on bail in the event of his arrest in Crime in F.I.R.No.58 of 2022 dated 22.03.2022 on the file of the C.C.S. Hyderabad for the offences punishable under Sections 467, 471 and 420 of the Indian Penal Code, 1860 (for short, "I.P.C.").

2. Heard learned counsel for the petitioner and learned Public Prosecutor appearing for the respondent State.

3. The case of the prosecution is that the *de facto* complainant, one Korra Sharath Naik, lodged the present complaint, who is not related to the present crime. As per the complaint, it is stated that the accused allegedly forged the degree certificate of Osmania University and pursuing M.B.A. at Pace University, Newyork. On verification of the documents, the Osmania University authorities found the certificate is ingenuine and thus, the petitioner has allegedly committed the offence of forgery in order to obtain admission in the foreign University.

4. Learned counsel for the petitioner submitted that the allegation is vague, motivated and there were differences between

the complainant and the accused. Out of such differences, false complaints are being filed. Infact there is no such commission of offences by the accused.

5. Learned Public Prosecutor submitted that the petitioner is one of the accused in other case of forgery. The said case is pending and the petitioner appeared in the same. He opposed for grant of pre-arrest bail.

6. Be that as it may, it is the allegation that the petitioner forged the degree certificate of Osmania University. The fact remains that when the certificates are being taken by the University, in foreign, there is verification from the concerned University to find out the genuineness of documents. When such is the condition, the allegation requires to be investigated and the arrest of the petitioner is unwarranted. In such circumstances, the request of the petitioner can be considered and the petitioner can be enlarged on bail in the event of his arrest.

7. Accordingly, the Criminal Petition is allowed and the petitioner is granted anticipatory bail subject to the following conditions:

- i) The petitioner is enlarged on bail in the event of his arrest in connection with F.I.R.No. 175 of 2023 on the

file of the Station House Officer, C.C.S. Hyderabad, on his executing a personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand Only) with two sureties to the like sum to the satisfaction of concerned Station House Officer.

- ii) The petitioner/accused shall appear before the concerned Station House Officer, C.C.S. Hyderabad on Sunday between 10:30 A.M. to 05:00 P.M. during the last week of July, 2023 till completion of investigation and filing of final report.
- iii) The petitioner shall abide by the other conditions stipulated in Section 438(2) Cr.P.C. and co-operate with the Investigating Officer in investigating the case.

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

Date: 07.06.2023
ESP/FM

M. LAXMAN, J

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