

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.13774 of 2024

ORDER:

This Criminal Petition is filed under section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of pre-arrest bail to the petitioner who is arrayed as accused No.2 in Crime No.1629 of 2024 of Narsingi Police Station, Cyberabad Commissionerate.

2. The brief facts of the case are that the *de-facto* complainant's father purchased schedule property i.e., open plot bearing No.114, admeasuring 500 Square yards in Brindavan Colony and is in peaceful possession and enjoyment of the schedule property. After demise of the father of the *de-facto* complainant on 22.02.1996, the *de-facto* complainant is in a possession of the schedule property. On 20.10.2024, when the *de-facto* complainant went to the schedule property, he came to know that some third persons are coming over the schedule property. As such, the *de-facto* complainant obtained an E.C. of the schedule property and noticed that one

another person has purchased the same property under registered sale deed bearing No.11089 of 2024. The *de-facto* complainant was astonished to note that the above said document was fabricated and registered by the G.P.A holder. When the same is verified before the S.R.O., Hyderabad, the S.R.O. Hyderabad informed the *de-facto* complainant that such schedule property was not registered before the S.R.O., Hyderabad. Hence, a case was registered vide Crime No.1629 of 2024 before the Narsingi Police, Cyberabad, for the offences punishable under Sections 318(4), 338, 336(3), 340(2), 61(2) of BNS.

3. Heard Sri N.Bhavani Sankar, learned counsel appearing on behalf of the petitioner as well as Sri Syed Yasar Manoon, learned Additional Public Prosecutor appearing on behalf of respondent-State.

4. Learned counsel for the petitioner submitted that the petitioner is innocent and has been falsely implicated in the case. He further submitted that petitioner purchased the schedule property under Registered Sale Deed bearing No.11089 of 2024 is registered before the Sub Register Gandipet for valid sale consideration and

after through verification of link documents, EC and also physical inspection of the property. He further submitted that local real estate persons are creating the trouble to get the property in cheaper rate by lodging false complaint against the petitioner. Hence, he prayed the Court to grant bail to the petitioner by allowing this criminal petition.

5. Learned Additional Public Prosecutor opposed the bail application of the petitioner stating that the investigation is not yet completed and that there are serious allegations against the petitioner, if the petitioner is released on bail, he may temper the evidence. Therefore, he prayed the Court to dismiss the criminal petition.

6. After considering the submissions made by both the parties and reviewing the record, it apparent that the petitioner has purchased schedule property based on the records of E.C. by believing it as genuine and there is no averments in the petition to show the petitioner is connected with G.P.A holder to sold the property with forged documents. Therefore, this Court is of the

considered view that it is a fit case for grant of anticipatory bail to the petitioner.

7. Accordingly, this petition is allowed granting anticipatory bail to the petitioner subject to the following conditions:

- i. The petitioner shall surrender before the Station House Officer of P.S. Narsingi, within two weeks from today, and on such surrender, the said Station House Officer shall release him on bail on executing a personal bond for Rs.20,000/- with two sureties, for the like sum each.
- ii. The petitioner shall abide by the other conditions stipulated in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023 and co-operate with the Investigating Officer in investigating the case

K. SUJANA, J

Date: 19.11.2024
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