

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.15924 of 2024

ORDER:

This Criminal Petition is filed under section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for granting of pre-arrest bail to the petitioner who is arrayed as accused No.1 in Crime No.832 of 2023 of Raidurgam Police Station, Cyberabad.

2. The brief facts of the case are that on 07.10.2023, at 21.030 hours, the *de-facto* complainant lodged a report alleging that *de-facto* complainant in the owner of the flat No.100, MIG-9, Block, Chitrapuri Colony, Khajaguada, Serilingampally. Accused No.1 approached the *de-facto* complainant and requested the said flat on a monthly rent basis and as per the request of the accused, the *de-facto* complainant has agreed to give the said flat on monthly rent basis for a period of eleven (11) months. Later, the *de-facto* complainant came to know that accused No.1 in collusion with other accused created a false and fabricated rental deed for a period of 24 months by forging the signature of the *de-facto* complainant. Hence, a case was registered vide Crime No.832 of 2023 before the Raidurgam, Cyberabad for the offences punishable under Sections 463, 468, 406, 420, 506

of IPC and Section 156(3) of Cr.P.C. Later on evidence collected on the record, Police filed alteration memo and added Section 467 of IPC.

3. Heard Sri P.Rama Sharana Sharma, learned counsel appearing on behalf of the petitioner as well as Sri Syed Yasar Manoon, learned Additional Public Prosecutor appearing on behalf of the respondent No.1-State.

4. Learned counsel for the petitioner *firstly* submitted that the petitioner is innocent and he is no way concerned with the alleged offences. He *secondly* submitted that the petitioner entered into a valid rental agreement with the *de-facto* complainant on 12.07.2021, stipulating a tenancy period of 24 months commencing from 15.07.2021. He *lastly* submitted that *de-facto* complainant has to file suit but he fraudulently filed this criminal case against the petitioner only to harass the petitioner. Therefore, he prayed the Court to grant of anticipatory bail to the petitioner by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner stating that accused fraudulently created the rental agreement by forging the signature of the *de-facto* complainant and the investigation is not yet completed,

therefore, granting of bail to the petitioner at this stage does not arise. Hence, he prayed the Court to dismiss the criminal petition.

6. After considering submissions from both the parties and material available on record, it is apparent that the only allegation against the petitioner is that he created the document for two (02) years instead of one year, except this allegation, there is no other allegation levelled against the petitioner. Pertinently, the material part of the investigation is completed. Therefore, considering the facts and circumstances of the case, this Court is of the considered view that it is a fit case for granting 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.Raidurgam, Cyberabad 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.25,000/- with two sureties, for the like sum each.

- ii. The petitioner shall appear before the concerned Station House Officer on every Monday between 9:00 A.M. to 5:00 P.M., for a period of eight (08) weeks or till filing of charge sheet whichever is earlier.
- iii. The petitioner shall abide by the other condition stipulated in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023.

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 30.12.2024

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