

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.1826 of 2025

ORDER:

This Criminal Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of pre-arrest bail to the petitioner, who is arrayed as accused No.7 in Crime No.1198 of 2024 of Rajendranagar Police Station, Cyberabad Commissionerate.

2. The brief facts of the case are that Sri Mohd. Shah Fahad submitted a representation to cancel a Release Mortgage Deed, prompting an investigation by the Charminar Zone's Zonal Commissioner. The inquiry revealed that building owners Sri Ahmed Zoh eb, Sri Ahmed Mosed, and Sri Ahmed Jamal Ma az allegedly forged government officials' signatures to execute the deed fraudulently, obtaining the release of the mortgaged area from the Sub-Registrar, Rajendra Nagar.

3. Heard Sri Y. Soma Srinath Reddy, learned counsel appearing on behalf of the petitioner, and Sri Syed Yasar

Mamoon, learned Additional Public Prosecutor appearing on behalf of the respondent-State.

4. Learned counsel for the petitioner submitted that the petitioner is arrayed as accused No.7, and he is innocent and falsely implicated in the subject crime, despite no evidence supporting the allegations. He further submitted that the FIR, filed by the City Planner, Charminar Zone, Hyderabad, initially did not mention the name of the petitioner, who was later implicated based on co-accused persons' alleged confessions during police interrogation. However, such confessions are inadmissible as evidence against the petitioner. Therefore, prayed this Court to grant pre-arrest bail to the petitioners by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor vehemently opposed the submissions made by learned counsel for petitioner, stating that the allegations leveled against the petitioners are serious in nature. At this stage, granting of pre-arrest bail to the petitioner does not arise. Therefore, he prayed the Court to dismiss the Criminal Petition.

6. In the light of the submissions made by both the learned counsel and a perusal of the material available on record, the Court finds that the main allegation against the petitioner is that the petitioner in collusion with accused No.1 committed the alleged offence. However, the remand report fails to provide reasons for the alleged involvement of the petitioner. Given that the material part of the investigation is completed, the Court deems it fit to grant pre-arrest bail to the petitioner subject to compliance of the following conditions:

- i. The petitioner shall surrender before the Station House Officer, Rajendranagar Police Station, Cyberabad Commissionerate, 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 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.

- iii. The petitioner shall appear before the concerned Investigating Officer on every Monday between 09:00 a.m, and 05:00 p.m., till the filing of the charge sheet and thereafter, as and when required

7. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

Date: 14.02.2025
SAI

K. SUJANA, J

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.1826 of 2025

Date: 14.02.2025
SAI