

THE HON'BLE JUSTICE B.R.MADHUSUDHAN RAO

CRIMINAL PETITION No.6738 OF 2025

ORDER:

This Criminal Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') by the petitioner/accused No.7 to grant anticipatory bail to the petitioner in connection with Crime No.79 of 2025 on the file of the Abids Police Station, Hyderabad, registered for the offence punishable under Sections 109, 352, 115 (2) read with 3 (5) of Bharatiya Nyaya Sanhita, 2023 (for short, 'BNS').

2. Heard Sri Mohd. Fasiuddin, learned counsel for the petitioner/accused No.7 and Sri Syed Yasar Mamoon, learned Additional Public Prosecutor for respondent No.1/State.

3. It is the case of the prosecution that on 03.04.2025 at about 09.30 hours, respondent No.2, who is the resident of Secunderabad lodged a complaint stating that he along with his friends went to play cricket at Attapur, Hyderabad. After playing cricket on 03.04.2025, at around 2.00 A.M. he went to Sultan Estate beside Kashish Shop line, Abids to meet his friend. At about 6.30 A.M. when he was at Sultan Estate,

some known persons were fighting in front of him. So, when he went to stop them, they quarreled with him unnecessarily and also used filthy language. Among them, one person by name Sameer Khan/accused No.1 resident of Yakuthpura, Hyderabad has suddenly took the knife and stabbed him on his back right side of the wrist and some others have beaten him with hands.

4. Learned Additional Public Prosecutor submits that specific allegations are made against the petitioner/accused No.7 in the remand report.

5. It is to be mentioned here that accused No.1 (Mohd. Moiz Uddin @ Sameer Khan) filed Crl.P.No.5249 of 2025 and during the pendency of the same, they moved I.A.Nos.2 and 3 of 2025 with a prayer to permit them to enter into compromise and to record the settlement to quash the proceedings in Crime No.79 of 2025 against accused No.1. The Coordinate Bench *vide* order dated 17.04.2025 referred the parties to the High Court Legal Services Committee for identification and to verify the voluntariness in arriving the settlement. The Secretary, High Court Legal Services

Committee, has submitted report on 24.04.2025 stating that the parties were identified by their respective counsel and also on verification of Aadhar cards/ Identity cards and the enquiries revealed that the parties have willfully and without coercion entered into the settlement/compromise. Thereby, the Coordinate Bench of this Court quashed the proceedings in Crime No.79 of 2025 against accused No.1.

6. It is the apprehension of the petitioner that he is intending to file quash petition, but in the intermittent period the police are trying to arrest him. As the proceedings against accused No.1-(Mohd. Moiz Uddin @ Sameer Khan) is quashed *vide* order dated 01.05.2025, the petitioner has made out a strong case for granting of anticipatory bail.

7. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, this Court deems fit to grant anticipatory bail.

8. Taking into consideration of the above facts, this Court is of the considered view that petitioner/accused No.7 is entitled for grant of anticipatory bail, subject to the following conditions:

1. The petitioner/accused No.7 shall surrender before the Station House Officer of Abids Police Station, Hyderabad District, within a period of thirty days from the date of the order, and on such surrender, the said Station House Officer shall release the petitioner/accused No.7 on bail on his executing a personal bond for Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties to the satisfaction of the said Station House Officer for the like sum each.
2. The petitioner/accused No.7 shall abide by the other conditions stipulated in Section 482 (2) Bharatiya Nagarik Suraksha Sanhitha, 2023 and co-operate with the Investigating Officer in investigating the case.

9. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

B.R.MADHUSUDHAN RAO, J

04th June, 2025.

Note : Issue C.C. by tomorrow.

EDS/prat