

THE HON'BLE SRI JUSTICE SREENIVAS RAO
CRIMINAL PETITION No.9406 of 2025

Order:

This Criminal Petition is filed by the petitioner/accused No.6 seeking anticipatory bail under Section 482 of Bharatiya Nagrik Suraksha Sanhita (BNSS), in connection with Crime No.1198 of 2024 of Rajendra Nagar Police Station, Cyberabad Commissionerate, registered for the offences punishable under Sections 318 (4), 338, 336 (3), 340 (2) of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS').

2. The case of prosecution in brief is that on 06.12.2024 the *de facto* complainant lodged a complaint before the Rajendra Nagar Police Station stating that Mohd. Shah Fahad submitted a representation to cancel the release mortgage deed, prompting an investigation by the Charminar Zone's Zonal Commissioner and the inquiry revealed that building owners Sri Ahmed Zoh eb, Sri Ahmed Mosed, and Sri Ahmed Jamal Ma allegedly forged government official's signatures to execute the deed fraudulently, obtained the release of the mortgaged area from the Sub-Registrar, Rajendra Nagar. Hence, the complaint.

3. Heard Mr. E. Sainath, learned counsel representing Sri K. Satish Chakravarthy, learned counsel for the petitioner/accused No.6 and Sri Yasar Mamoon, learned Additional Public Prosecutor for the respondent-State.

4. Learned counsel for the petitioner submitted that the petitioner has not committed any offence much less alleged offence leveled against the petitioner/accused and he is falsely implicated in this case. The entire allegations are leveled against A-1 to A-4 only. The petitioner never created or forged any documents. Hence, the ingredients under Section 338 of BNS are not attracted. The imprisonment for the other offences leveled are less than 7 years. He further submitted that very same allegations are leveled against A-7 and filed Crl.P.No.1826 of 2025 for grant of pre-arrest bail and this Court allowed the same on 14.02.2025. Hence, the petitioner is also entitled for grant of anticipatory bail. It is further submitted that petitioner is not having any criminal antecedents and he is ready and willing to cooperate with the investigation and also ready to abide by the conditions, which are going to be imposed by this Court and hence, prayed for anticipatory bail.

5. On the other hand, learned Additional Public Prosecutor submitted that the petitioner has committed grave offence and the investigation is under progress. He further submitted that there are specific allegations against the petitioner and he is absconding from the date of registration of the crime. Therefore, if the petitioner is granted anticipatory bail, at this stage, there is every chance to influence the witnesses and to interfere with the investigation. Hence, prayed to dismiss the petition.

6. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that the very same allegations are leveled against A-7 and this Court granted anticipatory bail vide CrI.P.No.1826 of 2025 on 14.02.2025 to him. According to the written instructions furnished by the Station House Officer, Rajendra Nagar, it reveals that the investigation has been completed and the investigating officer filed charge sheet on 15.07.2025 before XI Additional Metropolitan Magistrate, Rajendra Nagar. Even according to the learned Additional Public Prosecutor, the petitioner is not having any criminal antecedents.

7. Taking into consideration the above said facts and circumstances this Court is inclined to grant anticipatory bail to the petitioner/accused No.6 subject to the following conditions:

1. The petitioner/accused No.6 shall surrender before the Station House Officer of Rajendra Nagar Police Station, Cyberabad Police Commissionerate, on or before 11.08.2025, and on such surrender, the said Station House Officer shall release the petitioner/accused No.6 on bail on his executing a personal bond for Rs.30,000/- (Rupees thirty thousand only) with two sureties, for a like sum each.
2. After release, the petitioner/accused No.6 shall appear before the concerned Court on each and every adjournment as soon as he receives the summons.

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3. The petitioner/accused No.6 shall abide by the other conditions stipulated in Section 482 (2) Bharatiya Nagarik Suraksha Sanhitha, 2023.
 4. The petitioner/accused No.6 after release on anticipatory bail, if he is indulged in similar offence, liberty is granted to the respondent to file application for cancellation of anticipatory bail.
8. Accordingly, the Criminal Petition is allowed.

As a sequel, miscellaneous petitions, pending if any, stand closed.

Date:04.08.2025
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J.SREENIVAS RAO, J

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**Date:04.08.2025
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