

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.10708 of 2025

ORAL 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 petitioners, who are arrayed as accused Nos.1 and 4 in Crime No.86 of 2025 of Golconda Police Station, Hyderabad.

2. The brief facts of the case are that on 25.04.2025 at 10:00 hrs, a court-referred complaint was received from Hameed Khan against his children, Ashjan Ahmed Khan, Alina Hameed, and their maternal aunts Asra Sultana and Hajera Sultana. The complainant stated that he married Late Ameena Sultana in the year 1995, and they had two children, Ashjan and Alina. The family initially lived peacefully, and he supported his wife's education and career. Over time, his wife became distant, developed friendships at work, and, along with the children, began harassing him mentally and physically, pressuring him to transfer his house, which was gifted to him by his elder brother. Despite repeated refusals,

the children forged a gift deed in his name and later transferred the property among themselves through registered deeds. His wife passed away in the year 2019, and the complainant discovered that his children had also forged a Khula certificate to claim her benefits, misappropriating her gratuity and pension. On 15.01.2025, while cleaning his house, the complainant was physically assaulted by his son, daughter, and their maternal aunts, along with his laborer and tenant. Despite reporting to the police and undergoing medical treatment, his children repeatedly barred him from entering his own house and threatened his life, forcing him to live on the streets.

3. Learned counsel for the petitioners submitted that the petitioners are innocent of the alleged offences and that the present complaint was filed only to settle property disputes. He further submitted that the petitioners are the children of the de facto complainant and that the material part of the investigation has already been completed. Therefore, he prayed that this Court grant pre-arrest bail to the petitioners by allowing the present criminal petition.

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

5. In the light of the submissions made by both learned counsel and upon perusal of the material available on record, it appears that the disputes between the petitioners are civil in nature. As seen from the record, the material part of the investigation has been completed. Considering the facts and circumstances of the case, this Court deems it fit to grant pre-arrest bail to the petitioners, subject to the following conditions:

- i. The petitioners shall surrender before the Station House Officer, Golconda Police Station, Hyderabad, within two weeks from today, and on such surrender, the said Station House Officer shall release them on bail on executing a personal bond for Rs.25,000/- with two sureties, for the like sum each.

- ii. The petitioners 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 petitioners shall appear before the concerned Investigating Officer on every Wednesday 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.

K. SUJANA, J

Date: 28.08.2025
SAI

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