

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.10841 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 2 in Crime No.87 of 2025 of Mominpet Police Station, Vikarabad District.

2. The brief facts of the case are that on 25.07.2025, a complaint was received from S. Surya Prakash Reddy stating that in November 2009, accused Shahanaz Fatima and her husband Mohd. Afroz Baig, through a mediator, approached him to purchase his land in Sy.No.205/E admeasuring Ac.7-00 gts at Cheemaldari Village, Vikarabad District, for Rs.15,00,000/-. They paid Rs.2,80,000/- in cash towards registration charges and issued two cheques along with a promise to pay Rs.2,20,000/- in cash. Believing their assurance, he executed a sale deed No.3719/2009 dated 12.11.2009 in favour of Shahanaz Fatima, but the accused failed to pay the balance of Rs.12,20,000/-. Later, in March

2021, the accused allegedly forged his and co-owner A. Venkat Reddy's signatures to create a fake "Mutual Understanding" document, used it to mutate the property in their name on the Dharani Portal, and availed government benefits. While a civil suit (O.S.No.02 of 2011) over the property was pending, the accused further cheated third parties by entering into high-value sale agreements, receiving advances of over Rs.2.75 crores, and misusing forged documents.

3. Heard Sri Narendra Jalli, learned counsel appearing on behalf of the petitioner as well as Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing on behalf of the respondent - State.

4. Learned counsel for the petitioners submitted that the petitioners are innocent of the alleged offences and that the registered sale deed in question is of the year 2009, for which the petitioners had already paid the full consideration and the property was mutated in their name. He further submitted that the dispute is civil in nature, but the de facto complainant has wrongly converted it into a criminal matter.

Therefore, he prayed the Court to grant pre-arrest bail to the petitioners by allowing this present criminal petition.

5. 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.

6. In the light of the submissions made by both the learned counsel and a perusal of the material available on record, it appears that the alleged registered sale deed is of the year 2009. As seen from the record, the material part of the investigation is completed and all the witnesses were examined. Therefore, custodial interrogation is not necessary. Considering the facts and circumstances of the case, this Court deems it fit to grant bail to the petitioners subject to the following conditions:

- i. The petitioners shall surrender before the Station House Officer, Mominpet Police Station, Vikarabad District,

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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