

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.16351 of 2024

ORDER:

This Criminal Petition is filed under section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of pre-arrest bail to the petitioners who are arrayed as accused Nos.8 and 10 in Crime No.518 of 2024 of Kollur Police Station, Cyberabad.

2. The brief facts of the case are that the 13.11.2023 at 14.30 hours, the *de-facto* complainant lodged a report stating that the District Collector, Sanareddy signature was forged by the individual's i.e., the accused persons in proceedings of the District Collector, Sangareddy vide No.Rev/E1/22A/2021-29658 pertains to the land in respect of the Sy.No.191 to an extent of Ac.2.00 Gts situated at Kollur Village. It is stated that Dharani Grievances proceedings No.Rev/E1/22A/2021-29658, which was certified in the name of Sri B.Balaiah, who is freedom fighter. Hence, the case was registered vide Crime No.518 of 2024 of Kollur Police Station, Cyberabad, for the offences punishable under Sections 318(4), 338, 336(3) and 340(2) of BNS.

3. Heard Sri K.Narender and Sri B.Narsing, learned counsel appearing on behalf of the petitioners as well as Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing on behalf of the respondent.

4. Learned counsel for the petitioners *firstly* submitted that the petitioners are innocent and they are no way concerned with the alleged offences. They *secondly* submitted there is no role of the petitioners in forging the signature of the District Collector and the petitioners names not mentioned in FIR originally and subsequently added their names. They *thirdly* submitted that petitioners brought one party and fixed the rate, except this allegation, there are no specific allegations against the petitioners. They *lastly* submitted that previously, bail application of the petitioners, *vide* Crl.M.P.Nos.687 and 689 of 2024, were dismissed by common order by IV Additional Sessions Judge, Sangareddy, on 20.12.2024, without valid reasons. He *lastly* submitted that the petitioners are resident of Mahaboobnagar District, with movable and immovable properties, and is willing to furnish sureties as directed and prayed the Court to grant of anticipatory bail to the petitioners by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner stating that the allegations leveled against these petitioners are serious in nature and investigation is not yet completed and therefore, granting anticipatory bail to the petitioners, at this stage, does not arise. Hence, he prayed the Court to dismiss the criminal petition.

6. After considering submissions from both the parties and material available on record, it apparent that except omnibus allegations, there are no specific allegations against the petitioners. Further, the averments of the petition discloses that serious allegations are only against the accused No.1, who forged the signature of the District Collector to sell the land of the freedom fighter for the purpose of NOC. It is pertinent to note that material part of investigation investigation is completed. Therefore, considering the facts and circumstances of the case, this Court is of the considered view that it is a fit case for granting of anticipatory bail to the petitioners.

7. Accordingly, this petition is allowed granting anticipatory bail to the petitioners subject to the following conditions:

- i. The petitioners shall surrender before the Station House Officer of P.S.Kollur 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 petitioners shall appear before the concerned Station House Officer on every Monday between 9:00 A.M. to 5:00 P.M., for a period of eight (08) weeks or till filing of charge sheet whichever is earlier.
- iii. The petitioners shall abide by the other conditions stipulated in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 07.01.2025

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