

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.1259 of 2026

DATE: 23.02.2026

BETWEEN:

Prakash Chand Jain

..... Petitioner/Accused No.3

And

The State of Telangana,
Rep. by P.S. Rajendranagar, Hyderabad,
Through Public Prosecutor,
High Court for the State of Telangana,
at Hyderabad.

..... Respondent/Complainant

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 petitioner, who are arrayed as accused No.3 in Crime No.626 of 2025 before the Rajendranagar Police Station, Cyberabad Commissionerate,

registered for the offences punishable under Sections 316(2), 318(4), 329(3), 324(4), 338, 336(3), 340(2) and 351(2) of Bharatiya Nyaya Sanhita, 2023 (BNS).

2. The brief facts of the case are that the *de-facto* complainant lodged a report before the police on 05.06.2025, stating that he is the lawful and absolute owner of Plot Nos.180, 181, 190, 191 and 192, each admeasuring 200 square yards, totaling 1000 square yards. He purchased the said plots through a registered Sale Deed bearing Document No.15673/2006 dated 17.11.2006, which was preceded by a registered Agreement of Sale-cum-GPA dated 06.04.2006. Since the date of purchase, he has been in open, peaceful and continuous possession and enjoyment of the property. The layout was duly regularized by the HMDA, and he has been regularly paying the property taxes to the concerned authorities. On 30.05.2025, accused Nos.1 and 2, along with others, unlawfully attempted to interfere with and take forcible possession of Plot Nos.181 and 190 and adjoining plots. They abused and criminally intimidated the complainant, falsely claiming ownership over the property on the strength of fabricated documents. Upon inquiry, it was

revealed that accused Nos.1 and 2 fraudulently executed a registered Agreement of Sale-cum-GPA in favour of accused Nos.3 and 4, who in turn created a fake registered Sale Deed in favour of accused Nos.5 and 6. Hence, requested the police to take necessary action. Based on this report, the police registered a case against the accused for the alleged offences.

3. Heard Sri S.J.A. Nadeem, learned counsel appearing on behalf of the petitioner, and Sri M. Ramachandra Reddy, learned Additional Public Prosecutor appearing on behalf of the respondent-State.

4. Learned counsel for the petitioner submitted that the petitioner is innocent of the allegations levelled against him and that, apart from initiating the present criminal proceedings, the *de-facto* complainant has also filed O.S. No.1589 of 2025 seeking civil remedies, however, he has not sought cancellation of the alleged Agreement of Sale-cum-GPA executed in favour of accused No.3 and without pursuing appropriate civil remedies in respect of the said document, the complainant has falsely implicated the petitioner in the present case. He further submitted that the entire case rests

upon documentary evidence and that the investigation is purely document-based. Therefore, custodial interrogation of the petitioner is not necessary for the purpose of investigation. Hence, he prayed the Court to grant pre-arrest bail to the petitioner by allowing the present Criminal Petition.

5. On the other hand, the learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner, contending that the petitioner, in collusion with other accused, created a fabricated Agreement of Sale-cum-GPA without any valid title from the original owners and subsequently alienated the property in favour of subsequent purchasers and that subsequent purchasers, believing the document to be genuine and valid, purchased the property. Since the petitioner is arrayed as accused No.3 and is alleged to have played a prime role in the execution and circulation of the fabricated documents, he is not entitled for grant of anticipatory bail. Therefore, prayed the Court to dismiss the criminal petition.

6. In light of the submissions made by both learned counsel and upon perusal of the material available on record,

it is evident that the petitioner is arrayed as accused No.3 and have fabricated the Agreement of Sale-cum-GPA purportedly executed by the concerned parties, and that the de-facto complainant has already instituted a civil suit in O.S. No.1589 of 2025 in respect of the subject property. Further, the allegations primarily revolve around documentary evidence. Considering the facts and circumstances of the case, this Court is of the considered view that custodial interrogation of the petitioner is not required for the purpose of investigation and this Court deems it fit to grant pre-arrest bail to the petitioner, subject to the following conditions:

- i. The petitioner shall surrender before the Station House Officer, Rajendranagar Police Station, Cyberabad 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 petitioner 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 petitioner shall appear before the concerned Investigating Officer on every Wednesday between 09:00 a.m, and 05:00 p.m. for a period of eight (8) weeks or till filing of charge sheet whichever is earlier, for the purpose of investigation, and thereafter, as and when required.

7. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

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