

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.4654 of 2026

DATE: 07.04.2026

BETWEEN:

Mohammad Rizwan

.....Petitioner/Accused No.1

AND

The State, Rep by its Public Prosecutor,
High Court, Through : P.S.
Nizamabad I Town.

.....Respondent/Complainant

ORDER

This Criminal Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, “BNSS”), seeking grant of pre-arrest bail to the petitioner/accused No.1 in Crime No.113 of 2026 on the file of Nizamabad I Town Police Station, Nizamabad District, registered for the offences punishable under Section 109 (1) read with Section 3 (5) of Bharatiya Nyaya Sanhita, 2023 (for short, “BNS”).

2. The brief facts of the case are that the *de facto* complainant lodged a report on 17.03.2026 stating that he has been working in Airtel office for the past 1 ½ years along with his colleagues, namely,

Haritha, Rajesh and Ranjith and about 10 months ago, Haritha left the job; however, they continued to maintain friendship, celebrate occasions together and take group photos. It is further stated that Haritha was in relationship with one Rizwan (petitioner herein/accused No.1) and due to unknown reasons, they were not in good terms recently. It is stated that on 17.03.2026 at about 05.00 hours, the petitioner, after seeing a group photo of the complainant and others with Haritha, started making repeated threatening phone calls and threatened to kill them. It is further alleged that on the same day at about 17.30 hours, the petitioner, along with five associates, came to the complainant's workplace at Dwarakanagar, Nizamanabad, confirmed his presence along with Rajesh and attacked them with intention to kill. It is also stated that the petitioner and his associates beat the complainant and hit him on the head with an unidentified weapon, causing two bleeding injuries on the left side of his head. Basing on the same, the above said crime has been registered against the petitioner.

3. Heard Sri N. Srushman Reddy, learned counsel appearing on behalf of the petitioner as well as Sri M. Ramachandra Reddy, learned

Additional Public Prosecutor appearing on behalf of the respondent - State.

4. Learned counsel for the petitioner contended that the petitioner has been falsely implicated in the present case. It is submitted that there was no such quarrel between the parties with an intention to kill the *de facto* complainant and there is no mention of any specific weapon used in the alleged incident. It is further submitted that the injuries sustained by the *de facto* complainant are simple in nature and therefore, Section 109 (1) read with Section 3 (5) of BNS is not attracted. Learned counsel, therefore, prayed this Court to grant pre-arrest bail to the petitioner by allowing the 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 against the petitioner are serious in nature and therefore, he is not entitled to the discretionary relief of anticipatory bail. Learned Additional Public Prosecutor has, however, filed a medical certificate indicating that the injuries sustained by the *de facto* complainant are simple in nature.

6. Having considered the submissions of learned counsel on either side and upon perusal of the material available on record, particularly the injury certificate filed by the learned Additional Public Prosecutor, this Court is of the considered opinion that the injuries sustained by the *de facto* complainant are simple in nature. Therefore, this Court deems it appropriate to grant pre-arrest bail to the petitioner.

7. Accordingly, the Criminal Petition is allowed, the petitioner/Accused No.1 shall be released on bail in the event of his arrest in Crime No.113 of 2026 on the file of Nizamabad I Town Police Station, Nizamabad District, subject to the following conditions:

- i. The petitioner shall surrender before the Station House Officer, Nizamabad I Town Police Station, Nizamabad District, 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/-, each 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 Monday between 09:00 a.m, and 05:00 p.m., for a period of eight (8) weeks or till the filing of the charge sheet, whichever is earlier and thereafter, as and when required.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 07.04.2026

PRN

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