IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HONOURABLE SRI JUSTICE N.TUKARAMJI

CRIMINAL PETITION No.16129 OF 2026

(CNR No. HBHC010679952026)

DATE: 08.10.2026

Between :

Suryakanth Sanghi @ Laddu.

... Petitioner-accused No.1

AND

The State of Telangana.

... Respondent

ORDER:

This Criminal Petition is filed under Section 482 of *Bharatiya Nagarik Suraksha Sanhita, 2023* (for short, 'BNSS'), seeking the relief of pre-arrest bail.

2. The petitioner is arrayed as accused No.1 in Crime No.678 of 2026 on the file of the Rajendra Nagar Police Station, Cyberabad Commissionerate, facing accusations under Sections 318(4), 336(3), 338 and 420(2), 61 of the *Bharatiya Nyaya Sanhita, 2023* (for short 'BNS').

3. Heard Mr.Vishal Gandhi, learned Counsel for the petitioner, and Mr.Syed Yasar Mamoon, learned Assistant Public Prosecutor, representing the respondent-State.

4.1. The prosecution case, in brief, is that the de facto complainant, who is the father of the petitioner herein, lodged a complaint alleging that he is the absolute owner and possessor of land admeasuring 15 acres and odd, comprised in Survey Nos. 155 to 158, situated at Gaganpahad Village, Rajendranagar Mandal, Ranga Reddy District. According to the complainant, the said property was purchased by his father in the year 1968 and subsequently transferred to him under a partition deed executed in the year 1984. It is further alleged that the petitioner herein, who had been given in adoption to another family, fabricated a deed purportedly bearing the signature of the complainant's father and allegedly executed in the year 1981. The petitioner is also alleged to have submitted forged documents bearing the purported signatures of the complainant and his family members before the Tahsildar, with a view to securing mutation of the subject property in his name.

4.2. It is further alleged that, on 17.06.2025, the petitioner admitted to having entered the subject land and threatened the complainant's staff. The complainant also referred to a criminal complaint lodged against the petitioner in the year 2022 and to notices published in newspapers in connection with the dispute. Alleging that the petitioner had been relying on the disputed documents to establish his claim over the subject property, the complainant submitted a report, on the basis of which the present crime came to be registered.

5.1. Learned counsel for the petitioner submits that, except for the alleged offence punishable under Section 338 of BNS, all the other offences alleged against the petitioner are punishable with imprisonment for a term of less than seven years. Learned counsel further submits that disputes concerning the validity of the adoption and the documents relating to the subject property are already pending adjudication before the competent civil courts. In this regard, it is submitted that the respondent No.2 instituted a suit seeking a declaration that the registered memorandum of partition, the unregistered Will and the modification of the Will are null and void. The petitioner, in turn, instituted another suit seeking a declaration that the adoption and the adoption deed are illegal, invalid and bogus. According to learned counsel, the present criminal proceedings have been initiated by the de facto complainant against the backdrop of the existing property dispute and the pending civil litigation.

5.2. Learned counsel further submits that, although the present crime was registered on 19.06.2025, the petitioner had no knowledge of a copy of the complaint having been filed in the civil suit proceedings. It is also submitted that the petitioner is suffering from cancer and that the allegations levelled against him can be verified on the basis of documentary evidence. In these circumstances, learned counsel contends that the petitioner's custodial interrogation is not necessary, particularly

when the allegations primarily concern documentary evidence. It is further submitted that the petitioner is willing to cooperate with the investigation and abide by any conditions that may be imposed by this Court. Accordingly, learned counsel seeks the grant of anticipatory bail to the petitioner.

6. Learned Additional Public Prosecutor opposes the petition and submits that the investigation is in progress. It is contended that specific allegations have been levelled against the petitioner concerning the subject property and the alleged use of fabricated documents. According to the prosecution, although the petitioner claims entitlement to a share in the property, his family members allegedly created a fabricated Will, and the petitioner is alleged to have used forged documents before the Tahsildar in connection with the mutation proceedings. The learned Additional Public Prosecutor further submits that the petitioner's presence may be necessary for the purpose of investigation and expresses apprehension that, if anticipatory bail is granted, the petitioner may fail to cooperate with the Investigating Agency. On these grounds, the learned Additional Public Prosecutor prays for dismissal of the petition.

7. I have carefully considered the rival submissions and perused the materials on record.

8. The specific allegation against the petitioner is that he fabricated a Will Deed and forged documents bearing the signatures of the de facto complainant and his family members and submitted them before the Tahsildar to secure mutation of the subject property in his favour.

9. While considering an application for anticipatory bail, the Court is not required to meticulously examine the evidence or record definitive findings on disputed questions of fact. As held in *Gurbaksh Singh Sibbia v. State of Punjab*, (1980) 2 SCC 565, and *Sushila Aggarwal v. State (NCT of Delhi)*, (2020) 5 SCC 1, the discretion to grant anticipatory bail must be exercised judiciously, having regard to the facts and circumstances of each case, including the nature and gravity of the accusation, the petitioner's role, the likelihood of absconding or influencing witnesses, cooperation with the investigation, and the necessity for custodial interrogation.

10. In the present case, the allegations primarily concern the fabrication and use of documents for mutation of the subject property. Their genuineness and the alleged forgery are matters for investigation and, if necessary, trial. While the documentary nature of the allegations is relevant in assessing the necessity for custodial interrogation, the pendency of civil disputes does not, by itself, exclude criminal liability where the ingredients of an offence are made out.

11. Having regard to the nature of the allegations, their documentary basis, the petitioner's reported medical condition and willingness to cooperate, and the absence of any convincing material demonstrating the indispensability of custodial interrogation, this Court is of the considered view that the petitioner has made out a case for anticipatory bail.

12. Accordingly, this Criminal Petition is allowed, subject to following conditions.

(A) The petitioner/accused shall surrender before the Station House Officer, Rajendra Nagar Police Station, Cyberabad Commissionerate, on or before 22.10.2026. Upon such surrender or in the event of arrest the Station House Officer shall release him on bail on execution of a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties for a like sum each, to the satisfaction of the said officer.

(B) The petitioner shall appear before the Investigating officer on every Tuesday and Wednesday between 10.00AM to 03.00PM, for a period of ten (10) weeks from the date of his release on bail or until the filing of the final result, whichever is earlier.

(C) The petitioner shall remain available for investigation as and when required by the Investigating Officer and shall cooperate fully with the investigation.

(D) The petitioner shall furnish his complete residential address and contact details to the Investigating Officer and shall keep the same updated throughout the course of investigation.

(E) The petitioner shall not either directly or indirectly induce, threaten, influence, or contact any prosecution witness, nor shall he tamper with the prosecution evidence in any manner whatsoever.

(F) The petitioner shall strictly comply with all the conditions contemplated under Section 482(2) of the BNSS.

(G) Any wilful breach or violation of any of the aforesaid conditions shall render the petitioner liable to appropriate proceedings before the court below, including cancellation of bail, in accordance with the provisions of the BNSS and other applicable law.

13. It is made clear that any observations made herein are confined solely to the adjudication of the present application for anticipatory bail and shall not be construed as an expression on the merits of the case. Miscellaneous applications, if any pending, shall stand closed.

N.TUKARAMJI, J

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mmr

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