

HIGHCOURT OF ANDHRA PRADESH AT AMARAVATI

MAIN CASE No: CrI.P.No.1232 of 2026

PROCEEDING SHEET

Sl. No.	DATE	ORDER	OFFICE NOTE
01.	16.02.2026	<u>Dr.YLR,J</u> <u>I.A.No.01 of 2026</u> Heard. Dispensed with for the present. Dr.YLR,J <u>CrI.P.No.1232 of 2026</u> Heard both the learned Counsel. Issue notice to the Respondent No.2. The learned counsel for the Petitioner is permitted to take out personal notice on Respondent No.2 and file proof to that effect. The order dated 12.01.2026 does not reflect the directions issued by the Hon'ble Apex Court in Priyanka Srivastava v.State of U.P¹ and also the procedure contemplated under section 175 (3) of the Bharatiya Nagarik Suraksha Sanhita, 2023², has not been followed in letter and spirit, thereby rendering it invalid. The Hon'ble Apex court in Om Prakash Ambadkar v.State of Maharastra³ at paragraph No.34, it is observed that in order to curb misuse of the powers of a Magistrate at the behest of certain unscrupulous litigants for achieving ulterior motives, invocation under	

¹ (2015) 6 SCC 287

² 'the BNSS'

³ 2025 SCC OnLine SC 238

		Section 175(3) of ‘the BNSS’ was introduced. Considering the facts and circumstances of the case, there shall be a stay of all further proceedings in C.F.R.No.682 of 2025, including registration of any crime pursuant to the directions given on 12.01.2026 in C.F.R. No. 682 of 2025 by the learned Judicial Magistrate of First Class, Banaganapalle, until the next date of hearing. The Station House Officer, Owk Police Station, shall not proceed further. Post the matter after eight weeks. Dr.YLR,J PRA	
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