

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

WEDNESDAY ,THE SEVENTH DAY OF JANUARY

TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL PETITION NO: 116 OF 2026



Between:

1. Shaik C. Abdul Rahaman, S/o Shaik C. Abdul Rawoof,aged 49 years, Agriculturist, Door No. 2-379,R/o Kadumur Village, Midthur Mandal, Nandyal District.
2. Shaik C Abdul Rawoof, S/o Abdul Rahiman,aged 74, Agriculturist, Door No. 2-379,R/o Kadumur village,Midthur Mandal, Nandyal District.
3. Shaik C Jafrulla, S/o Shaik C. Abdul Rawoof,aged 32 years. Agriculturist, Door No. 2-395,R/o Kadumur Village,Midthur Mandal, Nandyal District.
4. Shaik C.Abdul Rheem, S/o Shaik C. Abdul Rawoof,aged 35 years. Agriculturist, Door No. 2-395,R/o Kadumur Village,Midthur Mandal, Nandyal District.
5. Chinna Chaduvulaiahgari Hidayathulla, S/o Shaik C. Abdul Rawoof,aged 37 years, Agriculturist, Door No. 2-395,R/o Kadumur Village, Midthur Mandal, Nandyal District.
6. Shaik C Jabiulla, S/o Shaik C. Abdul Rawoof,aged 33 years. Agriculturist, Door No. 2-395,R/o Kadumur Village, Midthur Mandal, Nandyal District.

Petitioners/Accused No. 1 to 6

AND

1. The State of Andhra Pradesh, Rep.byPublic Prosecutor, High Court of Andhra Pradeshat Amaravati.
2. The Station House Officer, ,Midthur Police Station, Nandyal District.

3. The Circle Inspector of Police, Rural, Nandikotkur Police Station, Nandyal District.
4. Laddagiri Abid Rahaman, S/o Laddagiri Ikram, aged 43, Money Lending Business, Kadumur village, Midthur Mandal, Nandyal District.

Respondents

Petition under Section 528 of BNSS , praying that in the circumstances stated in the affidavit filed in support of the Criminal Petition, the High Court may be pleased to allow the criminal petition and quash the complaint dated 10-11-2025 and registered the FIR No.82 of 2025 dated 9-12-2025 under Sections 115 (2), 351 (2) r/w 3 (5) of BNS and Section 174 (2) BNSS, 2023 against the petitioners on the basis of permission granted by the Judicial Magistrate of First Class, Nandikotkur, to register the case and investigation to recover the promissory notes amount from the petitioner No.1 to Respondent No.4 is abuse of process of law and it cannot be continue in the Court of Law in view of law laid down in the case of Honorable Supreme Court held in State of Haryana V. Bhajan Lai

IA NO: 1 OF 2026

Petition under Section 528 of BNSS, praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay of all further proceedings in FIR.No. 82 of 2025 on the file of Station House Officer, Midthur Police Station, including pending disposal of the main Criminal Petition,

The petition/Appeal coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of BUDIGE BHOJA RAAM Advocate for the Petitioner(s), PUBLIC PROSECUTOR Advocate for the Respondent(s) and the Court made the following.

ORDER

Heard the learned counsel for the petitioner/s.

The learned counsel for the petitioners would submit that the dispute in the present case is purely a financial transaction between the petitioners and respondent No.4. He would further submit that, initially, the police used to call the petitioners to the police station and insist them to pay the amount alleged to be due to respondent No.4.

Learned counsel for the petitioners would further submit that the petitioners thereafter filed a writ petition before this Court, which is presently pending consideration. The petitioners also gave a complaint before the Superintendent of Police on 17.11.2025. Subsequently, the police, after obtaining permission from the Court, registered the present case for the offences under Sections 115(2) and 351(2) read with Section 3(5) of the Bharatiya Nyaya Sanhita against the petitioners. The learned counsel for the petitioners would further submit that the continuation of criminal proceedings against the petitioners amounts to a mere abuse of process of law.

The learned Assistant Public Prosecutor takes notice on behalf of the State.

Considering the submissions made by both sides, there shall be a stay of all further proceedings against the petitioners/A.1 to A.6.

SD/- T. SRINIVASA RAO
ASSISTANT REGISTRAR

//TRUE COPY//


For ASSISTANT REGISTRAR

To,

1. The Station House Officer, Midthur Police Station, Nandyal District.
2. The Circle Inspector of Police, Rural, Nandikotkur Police Station, Nandyal District. (by RPAD)

3. Laddagiri Abid Rahaman, S/o Laddagiri Ikram, Money Lending Business, Kadumur village, Midthur Mandal, Nandyal District. (by RPAD)
4. One CC to SRI. BUDIGE BHOJA RAAM Advocate [OPUC]
5. Two CCs to SRI. PUBLIC PROSECUTOR, High Court of A.P [OPUC]
6. One spare copy

NOTE:-

Amendment was carried out to rectify the typographical error in the para in CRLP.NO. 116 of 2026.

The Stay Order dated 07/01/2026 in CRLP.No. 116 of 2026 is amended to reflect that the stay applies to 'A.1 to A.6' instead of A.1 and A.6.

Substitute this amended Order in place of earlier Order which was dispatched on 29.01.2026 in CRLP.No.116 of 2026.

SD/-T.SRINIVASA RAO
ASSISTANT REGISTRAR

HIGH COURT

DR.VJPJ

DATED:06/03/2026

LIST THE MATTER ON 18.02.2026

AMENDED ORDER

CRLP.No.116 of 2026

STAY

