

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

FRIDAY, THE TWENTY THIRD DAY OF JANUARY

TWO THOUSAND AND TWENTY SIX

:PRESENT:
THE HONOURABLE SMT JUSTICE JUVVADI SRIDEVI

IA No. 2 OF 2026
IN
CRLRC NO: 83 OF 2026

Between:

1. K Kasthuramma, W/o late K Kanthaiah
2. K. Venkateshwar,, S/o. Late. K. Kanthaiah,
3. K. Sujendera, , S/o. Late. K. Kanthaiah,

...Petitioner(s)
(Petitioner in CRLRC 83 OF 2026
on the file of High Court)

AND

1. The State of Telangana,, rep. through Public Prosecutor, High Court of Telangana, Hyderabad.
2. Ch. Srawan Kumar Sharma,, S/o. Jayaprakash, Occ Veda Pandith in Sri Peddamma Temple, Jubilee Hills, R/o. H.NO. 7-2-1271/1/9, Shivajinagar, Sanathnagar, Hyderabad.

...Respondent(s)
(Respondents in-do-)

Counsel for the Petitioner : P DEVENDER

Counsel for the Respondent No.1 :PUBLIC PROSECUTOR

Petition under Section 528 OF B.N.S.S., praying that in the circumstances stated in the grounds filed in support of the criminal petition, the High Court may be pleased grant interim stay of all further proceedings in C.C.No. 2/2018, on the file of the Principal Junior Civil Judge-Cum-Judicial Magistrate of First Class, at Shadnagar, Ranga Reddy District, in far as the petitioners / Accused Nos. 2, 3 & 5 are concerned, pending disposal of the Crl.R.C. in the interest of justice.

The court while directing issue of notice to the Respondent No.2 herein to show cause as to why this application should not be complied with, made the following order

ORDER

This Interlocutory Application is filed seeking stay of all further proceedings against the petitioner Nos.1 to 3/accused Nos.2, 3 and 5 in C.C.No.2 of 2018 on the file of learned Principal Junior Civil Judge-cum-Judicial Magistrate of First Class, at Shadnagar, Ranga Reddy District.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State and perused the record.

Learned counsel for the petitioners submits that the petitioners/accused Nos.2, 3 and 5 not concerned with M/s.Vasavimatha Builders and Developers Pvt. Ltd. as alleged by the defacto complainant. Neither the petitioners are directors nor have they played any active role in the said company. The accused No.1 is concerned with the said company and the present petitioners are only the family members of accused No.1 i.e. A2 is wife of A1, A3 and A5 are sons of A1 and A2. He further submits that without any role of the petitioners and just being family members of the accused No.1, the present petitioners are implicated in this case without any involvement and accused Nos.2, 3 and 5 are nothing to do with the present case.

He further submits that according to Memorandum of Understanding-cum-Agreement of Sale, dated 12.12.2008, accused No.1 only has signed the agreement as director. It is further submitted that *de facto* complainant has instituted a suit under Negotiable Instruments Act against accused No.4, wherein he was acquitted for the alleged offence by the trial Court and the appeal on the said case is still pending 'for dismissal' before this Court. Therefore, *prima facie* there is no case against the petitioners herein. Hence seeks to grant stay of all further proceedings.

On the other hand, learned Additional Public Prosecutor for the State opposed for grant of stay and submitted that there are specific allegations against the petitioners and prayed to dismiss this petition.

On perusal of the material, as per the Articles of Association, it appears that only accused Nos.1 and 4 are the directors of the company and as per Memorandum of Understanding-cum-Agreement of Sale dated 12.12.2008, agreement has been entered between accused No.1 and *de facto* complainant. Therefore, *prima facie*, there is no material placed on record to show that the petitioners /A2, 3 and 5 are directors of the company.

For the aforesaid observations made by this Court and the contentions raised by the learned counsel for the petitioners, this matter requires detailed examination.

In view thereof, this Court is inclined to grant stay of all further proceedings against the petitioner Nos.1 to 3/accused Nos.2, 3 and 5 in C.C.No.2 of 2018 on the file of learned Principal Junior Civil Judge-cum-Judicial Magistrate of First Class, at Shadnagar, Ranga Reddy District, till 25.02.2026.

Sd/- AHMED ABDULLA KHAN
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Principal Junior Civil Judge-Cum-Judicial Magistrate of First Class, at Shadnagar, Ranga Reddy District.
2. The Station House Officer, Kothur P.S, Ranga Reddy .
3. Ch. Srawan Kumar Sharma,, S/o. Jayaprakash, Occ Veda Pandith in Sri Peddamma Temple, Jubilee Hills, R/o. H.NO. 7-2-1271/1/9, Shivajinagar, Sanathnagar, Hyderabad(By SPAD)
4. One CC to SRI. P DEVENDER Advocate [OPUC]
5. Two CCs to Public Prosecutor, High Court for the State of Telangana, Hyderabad (OUT)
6. One spare copy

HIGH COURT

JS,J

DATED:23/01/2026

ORDER

IA No. 2 OF 2026

IN

CRLRC NO: 83 OF 2026

STAY

