



2025:TSHC:57585
[3444]

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

**THURSDAY, THE FOURTEENTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SMT JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION NO: 731 AND 743 OF 2025

CRLP No.731 OF 2025:

Between:

Saaba Amreen, D/o Saleem Khan, W/o.Imran Khan aged 38 years,
Occ. House hold, R/o.Flat No. 04, Parcha Enclave H. No. 10-3-299/1/1,
Humayun Nagar -Hyderabad.

...Petitioner/Accused No.1

AND

1. The State of Telangana, Rep. by its Public Prosecutor, High Court of
Telangana, Hyderabad. **...State/Respondent**
2. Abdul Hameed Khan, S/o Saleem Khan, Age. 35 Yrs, Occ. Business, R/o
H.No. 9-11-123/B/27, Mothi mahal, Golconda, Hyderabad, Ph. No.
9966127413.

...Respondent/De-Facto Complainant

CRLP No.743 OF 2025:

Imran Khan, S/o. Late Abdul Aziz Khan, aged 43 years, Occ: Service at
abroad, R/o. Hilton Kings Court, Flat No.201, padmanabhanagar Colony, Nanal
Nagar-Hyderabad. **...Petitioners/Accused No.1**

AND

1. The State of Telangana, Rep.by its Public Prosecutor,High Court of
Telangana, Hyderabad.
2. Abdul Hameed Khan, S/o. Saleem Khan, Age: 35yrs, Occ: , Business,
R/o.H.No.9-11-123/B/27, Mothi Mahal, Golconda, Hyderabad,
Ph.No.9966127413. **...Respondent/De-facto Complainant**

Petition under Section 528 of BNSS praying that in the circumstances
stated in the Memorandum of Grounds of Criminal Petition, the High Court may
be pleased to quash the proceedings in Crime No.03/2025, P.S. Golconda
registered U/s. Sections 318(4),351(2) of BNS till the pending disposal of the
main Criminal Petitionand.



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I.A. NO: 2 OF 2025

Petition under Section 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to stay of all further proceedings in Crime No.03/2025, P.S. Golconda registered U/s. Sections 318(4), 351(2) of BNS till the pending disposal of the main Criminal Petition.

I.A. NO: 3 OF 2025

Petition under Section 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased. It is therefore prayed that this Honble Court may be pleased to extend the interim orders in CrI.P.No.731 of 2025 and to pass such other order or orders as this Honble Court may deem fit and proper in the circumstances of the case.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Mohammad Abdul Kalam Siddiqui, Advocate for the Petitioner and Sri Jithender Rao Veeramalla, learned Additional Public Prosecutor on behalf of the Respondent No.1-state and None appeared for the respondent no.2.

The Court made the following: ORDER



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HON'BLE SMT. JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION Nos.731 and 743 of 2025

COMMON ORDER:

These Criminal Petitions are filed under Section 528 Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioners/accused Nos.1 and 2 seeking to quash the proceedings against them in Crime No.3 of 2025 on the file of Golconda Police Station, Hyderabad, registered for the alleged offences punishable under Sections 318(4) and 351(2) of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS').

2. Heard Sri Mohammad Abdul Kalam Siddiqui, learned counsel for the petitioners and Sri Jithender Rao Veeramalla, learned Additional Public Prosecutor appearing for the respondent No.1-State.

3. Though these petitions are filed for quashing the proceedings in the crime, during the course of arguments, learned counsel for petitioners has sought for directions to the Police to proceed with investigation by issuing notice under Section 35(3) of Bharatiya Nagarik Suraksha Sanhita (BNSS) (Previously Section 41-A of Cr.P.C.).



4. Learned Additional Public Prosecutor has not disputed the same.

5. Considering the submissions of both the counsel and on perusal of the material available on record, it is seen that the allegations are under Sections 318(4) and 351(2) of the BNS and the punishment prescribed for the said offences alleged against the petitioners is less than seven (07) years. Hence, without going into the merits of the case, this Court deems it appropriate to direct the petitioners to appear before the Investigating Officer on or before 30.08.2025 between 11:00 a.m. and 05:00 p.m. and in turn, the Investigating Officer is directed to follow the procedure laid down under Section 35 (3) of the BNSS (previously section 41-A of Criminal Procedure Code, 1973) and also the guidelines formulated by the Hon'ble Supreme Court of India in **Arnesh Kumar v. State of Bihar**¹ scrupulously. However, the petitioners shall submit their defense and co-operate with the Investigating Officer as and when required by furnishing information and produce all relevant documents/material required for the purpose of the investigation and the Investigating Officer shall consider the

¹ (2014) 8 SCC 273



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same and shall complete the investigation strictly in accordance with law.

6. With the above said observations, these Criminal Petitions are disposed of.

7. As a sequel, the miscellaneous petitions pending, if any, shall stand closed.

SD/ M. OSMAN ALI BAIG
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The XVII Additional Chief Judicial Magistrate at Hyderabad.
 2. One CC to Sri Mohammad Abdul Kalam Siddiqui, Advocate [OPUC]
 3. One CC to SRI. PUBLIC PROSECUTOR Advocate [OPUC]
 4. Two CD Copies
 5. One Spare Copy
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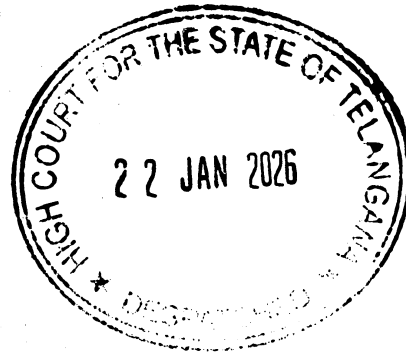
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HIGH COURT

DATED:14/08/2025

ORDER

CRLP.No.731 OF 2025
AND
CRLP.No.743 OF 2025



DISPOSING OF THE CRL.PETITION.

7MT
11/12/25