

HIGH COURT FOR THE STATE OF TELANGANA : HYDERABAD

MAIN CASE NO: Crl.P.Nos.834 and 835 of 2025

PROCEEDING SHEET

SL. NO	DATE	ORDER	OFFICE NOTE
	29.01.2025	<u>JAK,J</u> <u>Crl.P.Nos.834 and 835 of 2025</u> Heard learned counsel for petitioner(s) and learned Assistant Public Prosecutor for respondent –State in both the criminal petitions. Issue notice to respondent No.2. Learned counsel for petitioner(s) is permitted to take out personal notice on respondent No.2 by Registered Post with Acknowledgment Due and file proof of service in the Registry by next date of hearing. Post on 14.02.2025. <u>JAK, J</u> <u>I.A.No.1 of 2025 in Crl.P.No.834 of 2025</u> <u>AND</u> <u>I.A.No.1 of 2025 in Crl.P.No.835 of 2025</u> Crl.P.No.834 of 2025 is filed to quash proceedings in C.C.No.832 of 2024 on the file of First Addl. Judicial Magistrate of First Class at Gadwal-cum-I Additional Junior Civil Judge at Gadwal. Crl.P.No.835 of 2025 is filed to quash proceedings in C.C.No.270 of 2024 on the file of First Addl Judicial Magistrate of First Class at Gadwal-cum-I Additional Junior Civil Judge at Gadwal.	

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		Heard Ms. Srilekha Poojari, learned counsel for the petitioners and Ms. S.Madhavi, learned Assistant Public Prosecutor for the respondent – State. Perused the material on record. Respondent No.2 filed a complaint/FIR against petitioner/accused in CrI.P.No.835 of 2025 on 16.10.2023 in Jogulamba Gadwal Police Station registered as FIR.No.153 of 2023 under Sections 447, 427, 504 and 506 IPC. Respondent No.2 filed a complaint/FIR against petitioners/accused Nos.1 to 5 in CrI.P.No.834 of 2025 on 10.08.2024 in Jogulamba Gadwal Police Station registered as FIR.No.144 of 2024 under Sections 329 (3), 324 (2), 351(2) read with 3(5) of BNS. The <i>de facto</i> complainant stated that there was a land dispute with his neighbour Dasari Govardhanamma and others regarding Survey No.96. That District Court granted injunction order in C.M.A.No.2 of 2022 dated 22.07.2022 and the First Additional Junior Civil Judge, Gadwal, ordered police protection in I.A.No.62 of 2022 in O.S.No.32 of 2021 dated 13.03.2023. That on 08.08.2024, the petitioner(s)/accused in both the criminal petitions trespassed and threatened the complainant with dire consequences. Earlier FIRs., were registered in various crime numbers. It is submitted by the learned counsel for petitioner(s) in both the cases that the allegations levelled are false and that the dispute is civil in	

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		nature, that crimes are registered with an intent to harass the petitioner(s). Learned counsel for petitioner(s) invited the attention of this Court to orders passed in identical matters i.e., CrI.P.Nos.15336, 15343 and 15407 of 2024, where the petitioner(s)/accused therein are arrayed as parties in these criminal petitions and the criminal petitions are arising out of the same dispute, but under different FIR's. It is further submitted by learned counsel for petitioners that similar order be passed. On the other hand, learned Assistant Public Prosecutor submitted that in identical criminal petitions, this Court granted order annexed at Page Nos.43 to 47 in CrI.P.No.834 of 2025. A learned Single Judge of this Court by order dated 19.12.2024 in CrI.P.Nos.15336, 15343 and 15407 of 2024 passed the following order: “Heard learned counsel for the petitioners-accused. Issue notice to respondent No.2. Learned counsel for petitioners is also permitted to take out personal notice to respondent No.2 by registered post with acknowledgment due and file proof of service in the Registry by the next date of hearing. List on 18.02.2025. There shall be stay of all further proceedings against the petitioners-accused No.1 to 7 in C.C.No.34 of 2024, the petitioners-accused Nos.1 to 6 in C.C.No.517 of 2023 and the petitioners-accused No.1 to 3 in C.C.NO.103 of 2024 on the file of the learned I Additional Judicial Magistrate of First Class-cum-I Additional Junior Civil Judge at Gadwal, pending the Criminal Petition.”	

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		This Court is not inclined to take a different view to that of the order passed in CrI.P.Nos.15336, 15343 and 15407 of 2024, dated 19.12.2024. Therefore, there shall be an interim stay of all the proceedings against the petitioners in CrI.P.No.834 of 2025 and against petitioner in CrI.P.No.835 of 2025 in C.C.No.832 of 2024 and C.C.No.270 of 2024 on the file of First Addl. Judicial Magistrate of First Class at Gadwal-cum-I Additional Junior Civil Judge at Gadwal. JAK, J Plp	

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