

**(SHOW CAUSE NOTICE BEFORE ADMISSION)  
IN THE HIGH COURT FOR THE STATE OF TELANGANA  
AT HYDERABAD**

TUESDAY, THE TENTH DAY OF FEBRUARY

TWO THOUSAND AND TWENTY SIX

**:PRESENT:  
THE HONOURABLE SRI JUSTICE J SREENIVAS RAO**

**CRIMINAL PETITION NO: 1597 OF 2026**

**Between:**

Smt Sangeetha, D/o Srinivasa Chary

**Petitioner**

**AND**

1. The State of Telangana,, Rep. By its Public Prosecutor High Court at Telangana, Hyderabad.

**Respondent/Complainant**

2. Jeetendra Agarwal, S/o Radha shyam Agarwal Occ Physiotherapist R/o B-217 Hill Colony Vanasthalipuram Hyderabad 70

**Res/de-facto Complainant**

WHEREAS the Petitioner above named through her Advocate SRI U V SURESH KUMAR presented this 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 to quash in C C.No. 2098 of 2024 of P.S Market U/s 420 IPC Section 12(1) (b) of the Passport Act pending on the file of the XXII ADDL Metropolitan.Magistrate Secunderabad.

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of SRI U V SURESH KUMAR Advocate for the Petitioner, and Public Prosecutor, for the Respondent No.1 directed issue of notice to the Respondent No.2 herein to show cause as to why this CRIMINAL PETITION should not be admitted.

You viz:

Jeetendra Agarwal, S/o Radha shyam Agarwal, Occ Physiotherapist R/o B-217 Hill Colony Vanasthalipuram Hyderabad 70.

are directed to show cause on or before 09.03.2026 to which date the case stands posted as to why in the circumstances set out in the petition and the memorandum of grounds filed therewith (copy enclosed) this CRIMINAL PETITION should not be admitted.

**IA NO: 2 OF 2026**

Petition under Section 528 OF B.N.S.S., praying that in the circumstances stated in the affidavit filed in support of the quash petition, the High Court may be pleased to Stay all further proceeding in C.C.No. 2098 of 2024 of Market Police Station, pending on the file of the XXII A M.M. Secunderabad Including appearance of petitioner, pending disposal of CRLP No. 1597 of 2026, on the file of the High Court.

**The Court made the following:  
ORDER:**

**Mr. U.V. Suresh Kumar, learned counsel for the petitioner/accused, submits that the petitioner has not committed any offence. Even according to the allegations made either in the complaint or in the final report, the ingredients of the offences under Sections 419 and 420 of the Indian Penal Code, 1860 and Section 12(1)(b) of The Passport Act, 1967 are not attracted. Hence, the continuation of the proceedings against the petitioner is a clear abuse of the process of law.**

**Upon perusal of the record, it reveals that the learned Magistrate has taken cognizance without assigning any reasons and issued summons without recording his satisfaction, which is contrary to the principles laid down by the Hon'ble Apex Court in *Sunil Bharati Mittal v. Central Bureau of Investigation*<sup>1</sup> and *Fakhruddin Ahmad v. State of Uttaranchal and another*<sup>2</sup>.**

**In view of the above, issue notice before admission.**

**Learned counsel for the petitioner is permitted to take out personal notice to respondent No.2 by way of Speed Post with Acknowledgment Due and file proof of service.**

**Post on 09.03.2026.**

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<sup>1</sup> (2015) 4 SCC 609

<sup>2</sup> (2008) 17 SCC 157

**There shall be an interim stay of all further proceedings against the petitioner/accused in C.C.No.2098 of 2024 on the file of the XXII Additional Metropolitan Magistrate, Secunderabad, for a period of eight (8) weeks. In default of filing proof of service, the stay shall stand vacated.**

**Sd/- S. MALLIKARJUNA RAO  
ASSISTANT REGISTRAR**

**//TRUE COPY//**

  
**SECTION OFFICER**

**To,**

1. The XXII Addl. Metropolitan.Magistrate Secunderabad.
2. The Station House Officer, Market PS, Hyderabad.
3. Jeetendra Agarwal, S/o Radha shyam Agarwal, Occ Physiotherapist R/o B-217 Hill Colony Vanasthalipuram Hyderabad 70.(by SPAD- along with a copy of petition and memorandum of grounds)
4. One CC to SRI. U V SURESH KUMAR Advocate [OPUC]
5. Two CCs to Public Prosecutor, High Court at Hyderabad. (OUT)
6. One spare copy

**HIGH COURT**

**JSR,J**

**DATED:10/02/2026**

POST ON 09.03.2026

**NOTICE BEFORE ADMISSION**

**CRLP.No.1597 of 2026**

**INTERIM STAY**

