

(SHOW CAUSE NOTICE BEFORE ADMISSION)

AT HYDERABAD IN THE HIGH COURT FOR THE STATE OF TELANGANA

THURSDAY, THE FIFTH DAY OF FEBRUARY

TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 1404 AND 1405 OF 2026

CRLP.No.1404 of 2026

Between:

Syed Ghazanfar Razvi S/o. Syed Murtuza Jalal Razvi

Petitioner/Accused No.1

AND

1. State of Telangana, Rep. by its Public Prosecutor, High Court of Telangana, Hyderabad.

Respondent No.1

2. Nikhat Javed, D/o. Javed Ali, Occ Teacher, R/o. 8-1-423-A/ 17, Flat 201, ASW building, diamond hills colony, shaikpet, Hyderabad , Telangana

Respondent No.2

WHEREAS the Petitioner above named through his Advocate SRI BALA KRISHNA MANDAPATI 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 the proceedings in DVC NO. 428 OF 2025 on the file of IV Judicial Magistrate of 1st class at kalpataru, hyderabad seeking reliefs under sections 18 and 21 of protection of women from domestic violence act,2005, with respect to the Petitioner/Accused no.1;

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of

SRI BALA KRISHNA MANDAPATI Advocate for the Petitioner, Additional Public Prosecutor for 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;

1. Nikhat Javed D/o. Javed Ali, Occ Teacher, R/o. 8-1-423-A/ 17, Flat 201, ASW building, Diamond Hills Colony, Shaikpet, Hyderabad, Telangana

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: 1 OF 2026

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 stay all further proceedings in DVC NO. 428 OF 2025 on the file of IV Judicial Magistrate of 1st Class at Kalpataru, Hyderabad, including the appearance of the Petitioner/Accused No.1, pending disposal of CRLP No.1404 of 2026, on the file of the High Court.

CRLP.No.1405 of 2026

Between:

Afshan Khan W/o. Mohammed Shafi Ahmed Khan,

Petitioner/Accused No.2

AND

1. State of Telangana, Rep. by its Public Prosecutor, High Court of Telangana, Hyderabad.

Respondent No.1

2. Nikhat Javed, D/o. Javed Ali, Occ. Teacher, R/o. 8-1-423-A/ 17, Flat 201, ASW building, Diamond hills colony, Shaikpet, Hyderabad, Telangana

Respondent No.2

WHEREAS the Petitioner above named through his Advocate SRI BALA KRISHNA MANDAPATI 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 the proceedings in DVC NO. 428 of 2025 on the file of IV Judicial Magistrate of 1st Class at Kalpataru, Hyderabad seeking reliefs under sections 18 and 21 of protection of women from domestic violence act, 2005, with respect to the Petitioner/Accused no.2;

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of SRI BALA KRISHNA MANDAPATI Advocate for the Petitioner, Additional Public Prosecutor for 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;

1. Nikhat Javed D/o. Javed Ali, Occ Teacher, R/o. 8-1-423-A/ 17, Flat 201, ASW building, Diamond Hills Colony, Shaikpet, Hyderabad, Telangana

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: 1 OF 2026

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 stay all further proceedings in DVC No.428 of 2025 on the file of IV Judicial Magistrate of 1st Class at Kalpataru, Hyderabad, including the appearance of the Petitioner/Accused no.2, pending disposal of CRLP No.1405 of 2026, on the file of the High Court.

The Court made the following:

ORDER

Notice before admission.

Learned Additional Public Prosecutor takes notice on behalf of respondent No.1.

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

Sri M. Bala Krishna, learned counsel for the petitioners, submits that respondent No.2 filed D.V.C. No.428 of 2025 on the file of the learned IV Judicial Magistrate of First Class at Kalpataru, Hyderabad, by suppressing several material facts, including the filing of G.W.O.P. No.35 of 2025, and sought various reliefs, even though the marriage between the petitioner/ accused no.1 and respondent No.2 had already been dissolved by virtue of a divorce certificate issued by the competent authority on 22.01.2025, and there is no subsisting jural relationship between them as husband and wife. In spite of the same, respondent No.2 filed the D.V.C. by making omnibus allegation, which are not permissible under law. He further submits that the D.V.C. is posted for the appearance of the parties.

Taking into consideration the above submissions, this Court is of the view that detailed examination is required for adjudication of the case.

Post on 09.03.2026.

The presence of the petitioner/ accused Nos.1 and 2 in D.V.C.No.428 of 2025 on the file of learned IV Judicial Magistrate of First Class at Kalpataru, Hyderabad, is dispensed with, subject to the condition that they shall be represented through their counsel on each and every date of hearing. If the presence of the petitioners is required, they shall appear before the trial Court. In case of their non-appearance on the specific date fixed by the trial Court for their appearance, the

trial Court is entitled to proceed with the matter, in accordance with law.

//TRUE COPY//

SD/-M.NAGAMANI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

2. The IV Judicial Magistrate of First Class at Kalpataru, Hyderabad
3. Nikhat Javed, D/o. Javed Ali, Occ Teacher, R/o. 8-1-423-A/ 17, Flat 201, ASW building, diamond hills colony, shaikpet, Hyderabad , Telangana (by RPAD- along with a copy of petition and memorandum of grounds)
4. Two CCs to Public Prosecutor, High Court for the State of Telangana, Hyderabad (OUT)
5. One CC to SRI BALA KRISHNA MANDAPATI Advocate [OPUC]
6. One spare copy

HIGH COURT

JSR,J

DATED:05/02/2026

Post on 09.03.2026



NOTICE BEFORE ADMISSION

CRLP.No.1404 & 1405 of 2026

DIRECTION