

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

THURSDAY, THE FIFTH DAY OF MARCH

TWO THOUSAND AND TWENTY SIX

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

CRIMINAL PETITION NO: 2968 OF 2026

Between:

1. Sri Ravish Kedia, S/o.Sri Gopal Kedia,
2. Smt. Kanak Kedia, W/o.Sri Ravish Kedia,
3. Smt. Sharmila Kedia, W/o.Sri Gopal Kedia,

Petitioners/Unnamed Accused

AND

1. The State of Telangana, Rep. by its Public Prosecutor, High Court for the State of Telangana, High Court Buildings, Hyderabad, through PS, Goshamahal.

Respondent No.1

2. Sri Rohit Pitti, S/o.Late Badri Vishal Ji Pitti, Occ. Business, R/o.H.No.1-2-19, Domalguda Road, Domalguda, Hyderabad.

Defacto Complainant/Respondent No.2

WHEREAS the Petitioners above named through their Advocate SRI J C FRANCIS 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 against Petitioners/Unnamed Accused in Crime No.59 of 2026 on the file of P.S., Goshamahal, Hyderabad registered U/s.316(5), 318(4). 351(2) r/w 3(5) BNS.

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of SRI J C FRANCIS Advocate for the Petitioners, and Additional 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:

Sri Rohit Pitti, S/o.Late Badri Vishal Ji Pitti, Occ. Business, R/o.H.No.1-2-19, Domalguda Road, Domalguda, Hyderabad.

are directed to show cause on or before 06.04.2026 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 grounds filed in support of the criminal petition, the High Court may be pleased to stay all further proceedings against Petitioners/Unnamed Accused in Crime No.59 of 2026 on the file of P.S., Goshamahal, Hyderabad registered U/s.316(5), 318(4), 351(2) r/w 3(5) BNS, pending disposal of the present petition.

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

Learned counsel for the petitioners submits that the petitioners have not committed the alleged offences and has been falsely implicated in the present case. The allegations made in the complaint are purely civil in nature and pertaining to monetary disputes relating to the alleged non-supply of cloth material to respondent No. 2 and the amount that has been paid to the petitioners were not repaid to respondent No.2. Even according to the allegations made in the complaint, the ingredients of the offences under Sections 316(5), 318(4) and 351(2) r/w 3(5) of the Bharatiya Nyaya Sanhitha, 2023 (for short 'BNS') are not attracted against the petitioners. The offences under Sections 318(4) and 351(2) r/w 3(5) of the BNS are punishable with imprisonment of less than seven years. The Investigating Officer without following the provisions of BNSS, implicated the petitioners under Section 316(5) of the BNS. He further submitted that the Investigating Officer, without following the mandatory procedure prescribed under Section 35(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') and without following the guidelines formulated by

the Hon'ble Supreme Court in *Arnesh Kumar Vs. State of Bihar*¹, is proceeding further in the matter and the same is contrary to law.

He further submits that the petitioners had earlier approached this Court by filing W.P. No. 5982 of 2026, questioning the action of the official respondents therein, pertaining to calling the petitioners to the Police Station to settle the pending civil disputes with respondent No.2, without following due procedure of law. This Court, while ordering notice before admission on 25.02.2026, granted an interim direction, directing respondent No.3 therein not to interfere with the *inter se* private disputes between the petitioners and respondent No.4 (who is respondent No.2 in the present criminal petition), except under due process of law. Subsequent to passing of the said interim order, the present crime has been registered with an ante-date. The registration of the crime was not brought to the notice of this Court at the time of passing of the interim order.

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

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.

Post on 06.04.2026 along with Crl.P.No.2811 of 2026.

¹(2014) 8 SCC 273

Till then, there shall be an interim stay of all further proceedings against the petitioners/accused in Crime No.59 of 2026 of Goshamahal Police Station, Hyderabad. In default of filing proof of service, the stay shall stand vacated.

Sd/- HUSSAIN ALI
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The XVI Additional Chief Judicial Magistrate, Nampally Court, Hyderabad.
2. The Station House Officer, Goshamahal Police Station, Hyderabad.
3. Sri Rohit Pitti, S/o.Late Badri Vishal Ji Pitti, Occ. Business, R/o.H.No.1-2-19, Domalguda Road, Domalguda, Hyderabad. (by SPAD- along with a copy of petition and memorandum of grounds)
4. One CC to SRI. J C FRANCIS Advocate [OPUC]
5. Two CCs to Public Prosecutor, High Court at Hyderabad (OUT)
6. One spare copy

HIGH COURT

JSR,J

DATED:05/03/2026

POST ON 06.04.2026 ALONG WITH CRL.P.No.2811 of 2026



NOTICE BEFORE ADMISSION

CRLP.No.2968 of 2026

INTERIM STAY