

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

THURSDAY, THE SIXTEENTH DAY OF APRIL  
TWO THOUSAND AND TWENTY SIX

**:PRESENT:**

**THE HONOURABLE SRI JUSTICE J SREENIVAS RAO**  
**CRLP NO: 5670 OF 2026**

**Between**

PERUMANDLA JAYAYANTH, S/o.Sammaiah

**..... PETITIONER/Accused No.3**

**AND**

1. THE STATE OF TELANGANA, Through Public Prosecutor, High Court at Hyderabad For the State of Telangana.
2. T.GNANESHWAR, S/o.T.M.Krishna, Occ. Student, R/o.H.No.1265, Old MIG Serilingampally, Medak, Hyderabad Telangana – 502032.

**Respondents/Complainants**

WHEREAS the Petitioner above named through his Advocate Sri SUJITH JAISWAL 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 FIR with Crime.No.2712 of 2025, dated 22.11.2025 on the file of PS Gachibowli, Cyberabad against Petitioner/Accused registered under Sections 318(4), 316(2) of BNS as the same is untenable either on facts or under law;

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri. SUJITH JAISWAL Advocate for the Petitioner, PUBLIC PROSECUTOR for the respondent directed issue of notice to the Respondents herein to show cause as to why this CRIMINAL PETITION should not be admitted.

You viz:

T.GNANESHWAR, S/o.T.M.Krishna, Occ. Student, R/o.H.No.1265, Old MIG Serilingampally, Medak, Hyderabad Telangana – 502032.

are directed to show cause on or before **04.05.2026** 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.

**I.A. 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 Petitioner/Accused including arrest of Petitioner/Accused pursuant to Crime.No.2712 of 2025, dated 22.11.2025 on the file of PS Gachibowli, Cyberabad under Sections 318(4), 316(2) of BNS, pending disposal of CRLP No 5670 of 2026, on the file of the High Court.

**The Court made the following:**

**ORDER:**

**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.**

**Mr.Sujith Jaiswal, learned counsel for the petitioner, submitted that the petitioner has not committed any offence and has been falsely implicated in this case. The allegations levelled against the petitioner in the complaint are purely civil in nature, as it is pertaining to monetary transactions. Respondent No.2 ought to have approached the competent civil Court, on the other hand, filed the present complaint by giving it a criminal colour. The offences under Sections 318(4) and 316(2) of the Bharatiya Nyaya Sanhita, 2023 cannot go together in view of the Judgment of the Hon'ble Supreme Court in *Delhi Race Club (1940) Ltd. & Ors vs. State of Uttar Pradesh & Anr*<sup>1</sup>, wherein it was held that both the offences of cheating and criminal breach of trust cannot go together.**

**Taking into consideration the above said submissions, detailed examination is required.**

**Post on 04.05.2026.**

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<sup>1</sup> (2024) 10 SCC 690

**Till then, there shall be an interim stay of all further proceedings against the petitioner/accused No.3 in Crime No.2712 of 2025 of Gachibowli Police Station, Cyberabad.**

**In default of filing proof of service, the stay stands vacated.**

**SD/- M.NAGAMANI  
ASSISTANT REGISTRAR**

**//TRUE COPY//**

  
**SECTION OFFICER**

**To,**

1. The X Addl. Metropolitan Magistrate Kukatpally at Prashanth Nagar, Cyberabad.
2. The Station House Officer, Police Station Gachibowli Police Station, Cyberabad.
3. T.GNANESHWAR, S/o.T.M.Krishna, Occ. Student, R/o.H.No.1265, Old MIG Serilingampally, Medak, Hyderabad Telangana – 502032. [by SPAD-along with a copy of petition and memorandum of grounds]
4. One CC to Sri SUJITH JAISWAL, Advocate [OPUC]
5. Two CCs to PUBLIC PROSECUTOR High Court for the State of Telangana, at Hyderabad [OUT]
6. One spare copy

**HIGH COURT**

**JSR, J**

**DATED: 16-04-2026**



**POST ON 04.05.2026**

**NOTICE BEFORE ADMISSION**

**CRLP.No.5670 of 2026**

**INTERIM STAY**