

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

TUESDAY, THE TWENTY EIGHTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 6654 OF 2026

BETWEEN:

1. Shaik Kareemuddin, S/o. Late Shaik Ahmed Miya, Aged about 34 years, Occ. Pvt. Driver, R/o. 10-6-319/83, First Lancer, Syed Nagar, Hyderabad.
2. Thayyaba, W/o. Shaik Zakir Hussain, Aged about 38 years, Occ. Housewife, R/o. Borabanda, Hyderabad. Occ. Housewife
3. Taslim, W/o. Shaik Mazharuddin, 34 years, Occ. Housewife, R/o. Rajendernagar, Ranga Reddy District.
4. Mustafa, S/o. Late Shaik Ahmed Miya, Aged 42 years, Occ. pvt Driver, R/o. H.No. 10-6-319/83, First Lancer, Syed Nagar, Hyderabad.
5. Nasreen, W/o. Mustafa, Aged 36 years, Occ. Housewife, R/o. 10-6-319/83, First Lancer, Syed Nagar, Hyderabad.

...PETITIONERS/ACCUSED

AND

1. The State of Telangana, Rep. by its Public Prosecutor, Hyderabad.
2. Shaik Zarina, W/o. Shaik Kareemuddin, Aged about 30 years, Occ. Household, Presently R/o. H.No1111, Gandipet, Sun City, Ranga Reddy District.

...RESPONDENTS

Petition under Section 482 of Cr.P.C R/W U/s 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to quash the proceedings against the Petitioners in F.I.R. in Crime No. 166 of 2026 pending on the file of the learned XI Additional Judicial Magistrate, Cyberabad of First Class at Rajendernagar, Ranga Reddy District.

I.A. NO: 2 OF 2026

Petition under Section 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to stay all further proceedings in Crime No. 166 of 2026 under sections 85 BNS, 3 DPA on the file of the learned XI Additional Judicial Magistrate, Cyberabad of First Class, at Rajendernagar, Ranga Reddy District, pending disposal of the above Criminal petition in the interest of justice.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Ahmed Khan, Advocate for the Petitioners and Sri Jithender Rao Veeramalla, learned Additional Public Prosecutor on behalf of the Respondent No.1 and none appeared for the Respondent No.2.

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HONOURABLE SRI JUSTICE J.SREENIVAS RAO

CRIMINAL PETITION No.6654 of 2026

Date: 28.04.2026

Between:

Shaik Kareemuddin and four others

...Petitioners

AND

The State of Telangana and another

...Respondents

ORDER

This Criminal Petition has been filed seeking to quash the proceedings in Crime No.166 of 2026 of Rajendranagar, Hyderabad, wherein the petitioners were arrayed as accused Nos.1 to 5 for the offence punishable under Section 85 of the Bharatiya Nyaya Sanhita, 2023 (for short, 'BNS') and Sections 3 and 4 of the Dowry Prohibition Act, 1961.

2. Heard Mr. Ahmed Khan, learned counsel for the petitioners and Mr.Jithender Rao Veeramalla, learned Additional Public Prosecutor for respondent No.1.

3. With their consent, the criminal petition is disposed of at the stage of admission.
4. Learned counsel for the petitioners submitted that the petitioners have not committed the alleged offence and have been falsely implicated in the present case. Even according to the allegations made in the complaint, the ingredients of the offences under Section 85 of the BNS and Sections 3 and 4 of the DP Act are not attracted against the petitioners. Respondent No.2 herself left the matrimonial house of the petitioner No.1 and the petitioners never harassed respondent No.2 for additional dowry. Respondent No.2 filed the present complaint by making omnibus allegations and implicated petitioner Nos.2 to 5 as petitioner Nos.2 and 3 are the sisters of petitioner No.1, petitioner No.4 is the brother of petitioner No.1 and petitioner No.5 is the wife of petitioner No.4. He further submitted that the offences levelled against the petitioners are punishable with imprisonment of less than seven years. 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 Bihar¹, is proceeding further in the matter and the same is contrary to law.

5. *Per contra*, learned Additional Public Prosecutor submitted that there are specific allegations levelled against the petitioners in respect of demanding additional dowry and harassing respondent No.2. Whether the said allegations are true or not, the same have to be revealed during the course of the investigation, especially the Investigation is under progress. The petitioners are not entitled to seek quashing of the proceedings at the threshold. However, offences levelled against the petitioner are punishable with imprisonment of less than seven years, the Investigating Officer is trying to serve the notice Section 35(3) of the BNSS, and the petitioners are absconding from the date of registration of crime i.e., 14.02.2026.

6. Learned counsel for the petitioners by way of reply submitted that the petitioners will appear before the Investigating Officer on or before 08.05.2026 and submit their reply/explanation along with relevant documents to the Investigating Officer.

¹(2014) 8 SCC 273

7. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that the offences levelled against the petitioners are punishable with imprisonment of less than seven years. Even according to the learned Additional Public Prosecutor, the Investigating Officer wants to follow the procedure contemplated under Section 35(3) of the BNSS and also the guidelines formulated by the Apex Court in *Arnesh Kumar* (supra) and according to the learned counsel for the petitioners, the petitioners are ready and willing to co-operate with the investigation.

8. In view of the above, the petitioners are directed to appear before the Investigating Officer on or before 08.05.2026 and the Investigating Officer is directed to follow the procedure contemplated under the provisions of the BNSS, 2023. It is needless to mention that the petitioners are entitled to submit reply/explanation by raising all the pleas which are available to them and they are also entitled to submit the documents, if any, which are in their custody, to the Investigating Officer, whenever they receive notice under Section 35(3) of the BNSS.

9. Accordingly, the Criminal Petition is disposed of.

Miscellaneous applications, pending if any, shall stand closed.

SD/- B REKHA RANI
ASSISTANT REGISTRAR

//TRUE COPY//

6
SECTION OFFICER

To,

1. The XI Additional Judicial Magistrate Cyberabad of First Class at Rajendernagar, Ranga Reddy District.
2. The Station House Officer, Rajendranagar Police Station, Hyderabad.
3. Two CCs to the Public Prosecutor, High Court of Telangana at Hyderabad [OUT]
4. One CC to Sri Ahmed Khan, Advocate [OPUC]
5. Two CD Copies

GNK/ABK

h

HIGH COURT

DATED: 28/04/2026

ORDER

CRLP.No.6654 of 2026



DISPOSING THE CRIMINAL PETITION

8 copies
K
11/5/26