

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

WEDNESDAY, THE TWENTY SECOND DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

:PRESENT:
THE HONOURABLE SRI JUSTICE J SREENIVAS RAO
CRLP NO: 6209 OF 2026

Between

1. Rizwana Banu, W/o. Abdul Razaksait.
2. Abdul Razaksait, S/o. Late Abdul Rahaman sait.
3. Mohammed Hussain, S/o. Razaksait.

.....Petitioners/Accused No.2 to 4

AND

1. The State of Telangana, Rep. through the Public Prosecutor, High Court Telangana at Hyderabad.
2. Alberahbanu, W/o. Mohammed Hasan, Occ: House wife, R/o. 5-9-220/201, Mount Meru Arcade, Chirag Ali lane, Abids, Hyderabad, Telangana.

Respondents/De-facto Complainant

WHEREAS the Petitioners above named through their Advocate Sri B. SHIVA RAM SHARMA 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 call for the records relating to FIR No.24 of 2026 on the file of WPS Central Zone(Hyderabad) Police Station, Hyderabad District and quash the same in so far as petitioners/Accused are concerned;

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments Sri B. SHIVA RAM SHARMA Advocate for the Petitioner and the Additional Public Prosecutor for Respondent No.1, directed issue of notice to Respondent No.2, herein to show cause as to why this CRIMINAL PETITION should not be admitted.

You viz:

Alberahbanu, W/o. Mohammed Hasan, Occ: House wife, R/o. 5-9-220/201, Mount Meru Arcade, Chirag Ali lane, Abids, Hyderabad, Telangana.

are directed to show cause on or before 29.06.2026 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 BNSS praying that in the circumstances stated in the grounds filed in support of the Criminal Petition, the High Court may be pleased to grant stay of all further proceedings including arrest of petitioners/accused in FIR No.24 of 2026 on the file of WPS Central Zone (Hyderabad) Police Station, Hyderabad District, pending disposal of CRLP No.6209 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.

Learned counsel for the petitioners submits that the petitioners have not committed the alleged offences and have been falsely implicated in the present crime by making omnibus allegations. The petitioners are the family members of accused No. 1, and at no point of time they demanded additional dowry or harassed respondent No. 2. Even according to the allegations made in the complaint, the ingredients of Sections 85 and 351(2) of the Bharatiya Nyaya Sanhitha, 2023 are not attracted against the petitioners and are punishable with imprisonment of less than seven years. 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.

Taking into consideration the above submissions, this Court is of the *prima facie* view that there is force in the submissions made by the learned counsel for the petitioners. However, this Court would not be justified in granting a stay of further investigation pending the proceedings under Section 528 of the BNSS.

Hence, the Investigating Officer is directed to follow the due procedure as contemplated under the provisions of the BNSS, 2023, insofar as petitioners/accused Nos.2 to 4 are concerned.

¹(2014) 8 SCC 273

Post on 29.06.2026.

Sd/- S.MALLIKARJUNA RAO
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The XIII Addl. Chief Judicial Magistrate at Nampally, Hyderabad.
2. The Station House Officer, WPS Central Zone (Hyderabad) Police Station, Hyderabad.
3. Alberahbanu, W/o. Mohammed Hasan, Occ: House wife, R/o. 5-9-220/201, Mount Meru Arcade, Chirag Ali lane, Abids, Hyderabad, Telangana **(by SPAD- along with a copy of petition and memorandum of grounds)**
4. One CC to Sri B. SHIVA RAM SHARMA 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:22.04.2026

Post on 29.06.2026

NOTICE BEFORE ADMISSION



CRLP.No.6209 of 2026

DIRECTION