

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

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

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 6277 OF 2026

Between:

1. Praveen @ Puri Praveen Kumar, Age .45yrs,Occ .Business, R/o 1-34/2,Srikath Colony, Amangal, Mahbub Nagar District.
2. Tejavath Hanku ,, S/o Bicha ,Age .49yrs,Occ .Owner of Vehicle, R/o 1-18, Kandla Kunta Thanda, Bommalararamaram,Mandalam Maryala, Maryal, Nalgonda District.
3. Aadoth Kishan ,, S/o Aadoth Nandya ,Age .45yrs,Occ .Driver, R/o Maryala post,Kandla Kunta Thanda, Mandalam Maryala, Maryal, Nalgonda District.
4. Bablu Verma ,, C/o Ved Prakash Verma , Age .26yrs,Occ .Driver, Rio Mahrauli saharawa ,Post Payagpur, jila Bahraich Sahsrawan PO.Payagpur,District Bahraich, Uttar Pradesh 271871.

AND

...PETITIONER/ACCUSED

1. State of Telangana, Rep. By its Public Prosecutor High Court of Telangana at Hyderabad
2. Sri. G. Raghavender Rao,, Sub-Inspector of Maheshwaram PS, Future City, Rangareddy District.

...RESPONDENT/DEFACTO-COMPLAINANT

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 quash the proceedings and Return of properties seized in Crime.No. 154 of 2026 On the file of PS Maheshwaram, District Rangareddy/Future City against the Petitioners/Accused

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 grant STAY of all further proceedings including the appearance and return of seized properties of the petitioners/ accused in Crime.No. 154 of 2026 On the file of PS Maheshwaram, District Rangareddy/Future City, pending disposal of the above criminal petition

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri C VIVEKANAND , Advocate for the Petitioner and Mr V.Jithender Rao Addl Public Prosecutor on behalf of the Respondent No1. and none appear for the Respondent No2.

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.6277 of 2026
Date: 23.04.2026

Between:

Praveen and three others

...Petitioners

AND

The State of Telangana and another

...Respondents

ORDER

This Criminal Petition has been seeking to quash the proceedings in Crime No.154 of 2026 of Maheshwaram Police Station, Future City, wherein, the petitioners were arrayed as accused Nos. 1 to 4, for the offences punishable under Sections 318(4) of the Bharathiya Nyaya Sanhitha, 2023 (for short 'BNS') and Sections 7 of the of the Essential Commodities Act, 1955 (for short 'EC Act').

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

3. The specific allegation against the petitioners/accused Nos.1 to 4 is that they have procured PDS rice from the beneficiaries at cheaper rate to sell the same for profit and on 18.04.2026, the petitioners were found in possession of 18 quintals of PDS rice.

4. Learned counsel for the petitioners would submit that without there being any complaint from any beneficiary, alleging that the rice was procured deceptively or with a criminal intent and charging the petitioners for prosecution is untenable and improper. The allegations, even taken at their face value cannot be sustained against the petitioners. Further, this Court, in CrI.P.No.5709 of 2019, while considering the same situation, categorically observed that the offences alleged against the petitioners therein could not be continued and accordingly quashed the proceedings. The petitioners are also entitled to the same relief and hence prayed to quash the proceedings against the petitioners.

5. The learned Additional Public Prosecutor submits that as per prosecution, the offences said to have been committed by the petitioners is cheating and violation of Section 7 of the EC Act and requested to pass appropriate orders.

6. Section 7 of the EC Act contemplate that any person contravenes with the production, supply, distribution and trade of essential commodities, is punishable. As per the prosecution, the petitioners have procured PDS rice from the beneficiaries after supply from the dealer.

7. A Coordinate Bench of this Court in CrI.P.No.7227 of 2025 has considered the identical facts and observed that:

"There is no averment indicating that the petitioner in any way deceptively induced the beneficiaries to part with the supplied PDS rice or the beneficiary entrusted the PDS rice purchased by them with the petitioner and they dishonestly misappropriated or converted to their own use or used it in violation of a lawful direction or contract. In the absence of essential factors, on the face of prosecution, this Court finds it to be a fit case to exercise the jurisdiction under Section 528 of BNSS, 2023. Thus, continuance of proceedings against the petitioner is abuse of process of law".

8. The facts and circumstances of the present case also similar to those in the above case and hence, this Court finds it to be a fit case to exercise jurisdiction under Section 528 of BNSS by applying the same analogy and to quash the proceedings against the petitioners herein.

9. Accordingly, the Criminal Petition is allowed and the proceedings in Crime No.154 of 2026 of Maheshwaram Police Station, Future City, against the petitioners/accused Nos.1 to 4, are hereby quashed.

Pending miscellaneous applications, if any, shall stand closed.

SD/- A.SREENIVASA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Junior Civil Judge cum XVII Addl Judicial Magistrate of First Class at Maheshwaram

2. The Station House Officer Police Station Maheshwaram Future City
3. One CC to SRI C VIVEKANAND Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR High Court for the State of Telangana,
at Hyderabad [OUT]
5. Two CD Copies

AG/KA

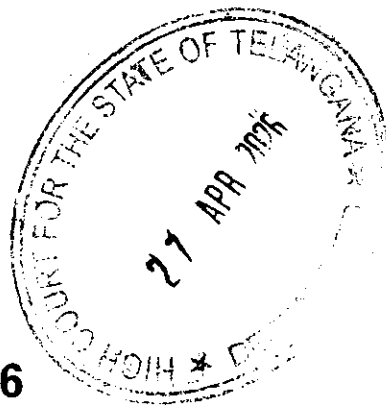
Pw

HIGH COURT

DATED: 23/04/2026

ORDER

CRLP.No.6277 of 2026



ALLOWING THE CRLP

(89) CO (MC)

PVL
29/04/2026