

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THURSDAY, THE TWENTY THIRD DAY OF JULY

TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SMT JUSTICE K. SUJANA

I.A.No. 1 OF 2026

IN

CRLRC NO: 467 OF 2026

Between

Challa Srinivasa Sharma, S/o. Yadagiri Sharma

...PETITIONER/Appellant/Accused

(Petitioner in CRLRC NO: 467 OF 2026

on the file of High Court)

AND

1. State of Telangana, Rep. by Public Prosecutor, High Court at Hyderabad.
2. Manikya Prabhu, S/o. Narayana, R/o. H.No. 16-2-738/6, Near Water Tank, Asmanghad, Malakpet, Hyderabad, Telangana State

...RESPONDENTS/complainant

(Respondents in-do-)

Counsel for the Petitioner : SRI MD FASIUDDIN

Counsel for the Respondent No.1 : PUBLIC PROSECUTOR

Petition under Section 438 (1) of B.N.S.S. praying that in the circumstances stated in the grounds filed in support of the Crl.R.C, the High Court may be pleased to suspend the operation of sentence of Judgment dt 13/09/2024 passed in CC.No.9804 of 2022 of IX Judicial Magistrate of First Class, Hyderabad, which was confirmed by the IV Additional Session Judge Hyderabad in Crl.A.No.1367 of 2024, dated 08.04.2026 please to release the petitioner on bail pending disposal of CRLRC No 467 of 2026, on the file of the High Court.

The Court made the following

ORDER

This application is filed seeking to suspend the execution of sentence imposed in judgment dated 13.09.2024 passed in CC.No.9804 of 2022 on the file of the learned IX Judicial Magistrate of First Class, Hyderabad, which was confirmed by the judgment dated 08.04.2026 passed in Crl.A.No.1367 of 2024 by the learned IV Additional Sessions Judge, Hyderabad.

Heard learned counsel for the petitioner.

Learned counsel for the petitioner submitted that the petitioner was found guilty for the offence punishable under Section 138 of NI Act and was sentenced to undergo simple imprisonment for a period of six months and to pay a sum of Rs.30,05,000/- towards compensation. He further submitted that though there is no cogent evidence on record to prove the guilt of the petitioner, the trial Court and the appellate Court erroneously convicted the petitioner. He further submitted that the petitioner is having good grounds to succeed in the revision petition. Therefore, he prayed the Court to allow the petition.

Considering the submission made by the learned counsel for the petitioner, there shall be interim suspension of the sentence alone imposed by the trial Court in CC.No.9804 of 2022 till the disposal of the Revision, subject to the condition that the petitioner shall deposit 15% of the compensation amount awarded by the trial Court within a period of one(01) month from the date of receipt of a copy of this order. Upon such deposit, respondent No.2 is permitted to withdraw the same, subject to the condition that the amount shall be redeposited in the event the petitioner succeeds in the Revision.

Sd/- A.JAYASREE
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The IX Judicial Magistrate of First Class, Hyderabad
2. The IV Additional Sessions Judge, Hyderabad
3. Manikya Prabhu, S/o. Narayana, R/o. H.No. 16-2-738/6, Near Water Tank, Asmanghad, Malakpet, Hyderabad, Telangana State[By SPAD]
4. One CC to SRI MD FASIUDDIN Advocate [OPUC]
5. Two CCs to PUBLIC PROSECUTOR High Court for the State of Telangana, at Hyderabad [OUT]
6. One spare copy

HIGH COURT

SKS, J

DATED: 23-07-2026

ORDER

**I.A.No. 1 OF 2026
IN
CRLRC NO: 467 OF 2026**

INTERIM SUSPENSION

