

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

THURSDAY, THE THIRTIETH DAY OF APRIL ✓
TWO THOUSAND AND TWENTY SIX ✓

:PRESENT:
THE HONOURABLE SRI JUSTICE J SREENIVAS RAO ✓
CRLP NO: 6973 OF 2026 ✓

Between

1. Anupum Deb @ Anupam, S/o Gen Deb Kumar,
2. Gutta Sirish Chandra @ sirish, S/o Late G.Narasimha Rao,

.....PETITIONERS/Accused No.1 & 2 ✓

AND

1. The State of Telangana, Rep by its Public prosecutor, High Court At Hyderabad
2. Gunishetty Sai Chand Gupta,, S/o Late Gunishetty Manohar Rao Gupta, Occ. Pvt.Service, R/o Plot No 37 & 39, 2, Navodaya Colony Rd, Banjarahills, Hyderabad, Telangana. 500034

Respondents/Complainant ✓

WHEREAS the Petitioners above named through their Advocate Smt. K SIVA SRI ANDAL 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 Crime (FIR)No.273/ 2026 dated 02.04.2026 pending on the file of PS-Banjara Hills against the Petitioners/Accused No. 1 & 2 in the interest of justice. ✓

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Smt. K SIVA SRI ANDAL, Advocate for the Petitioners, and Additional Public Prosecutor, for the Respondent No.1 directed issue of notice to the Respondent No.2 herein to show cause as to why this CRIMINAL PETITION should not be admitted. ✓

You viz:

Gunishetty Sai Chand Gupta,, S/o Late Gunishetty Manohar Rao Gupta, Occ. Pvt.Service, R/o Plot No 37 & 39, 2, Navodaya Colony Rd, Banjarahills, Hyderabad, Telangana. 500034. ✓

are directed to show cause on or before 06.07.2026 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 of all further proceedings in FIR (Crime) No.273/2026 dated 02.04.2026 on the file of PS-Banjara Hills pending disposal of the Main Quash Petition in the interest of the justice.

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 case. He further submitted that the alleged incidents pertain to February 2026, whereas respondent No. 2 filed the present complaint on 02.04.2026 after a lapse of long time. He also submitted that respondent No. 2 is not the owner of the vehicle and lodged the present complaint without assigning any reasons for the delay. Even according to the allegations made in the complaint, the ingredients of Sections 318(4) and 316(2) r/w 3(5) 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 and also the guidelines formulated by the Hon'ble Supreme Court in *Arnesh Kumar* supra, insofar as petitioners/accused Nos.1 and 2 are concerned.

Post on 06.07.2026.

Sd/- P.C.SULEKHA DEVI
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Chief Judicial Magistrate at Hyderabad.
2. The Station House Officer, Banjara Hills Police Station, Hyderabad.
3. Gunishetty Sai Chand Gupta,, S/o Late Gunishetty Manohar Rao Gupta, Occ. Pvt.Service, R/o Plot No 37 & 39, 2, Navodaya Colony Rd, Banjarahills, Hyderabad, Telangana. 500034[by SPAD-along with a copy of petition and memorandum of grounds]
4. One CC to Smt. K SIVA SRI ANDAL 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: 30-04-2026

NOTICE BEFORE ADMISSION

POST ON 06.07.2026

CRLP.No.6973 of 2026

DIRECTION

