

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**FRIDAY, THE FIRST DAY OF MAY
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 7164 OF 2026

Between:

Amardeep Yadav,, S/o. Chotu Ram Yadav, Aged about 41 years, Occ Doctor,
R/o Flat No 2701 DLS Primars Apartment Haryana State

...Petitioner/Accused

AND

1. The State of Telangana Through PS WPS BEGUMPET, Rep by Public
Prosecutor Telangana

...Respondent

2. Mrs. Priya Yadav, W/o Amardeep Yadav, Aged about 35 years, Occ, Doctor
R/o Flat No 201 Sai Mithra Apartments Opp Geetha Narsingh Home East
Maredpally, Secunderabad

...Respondent/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 order dated 10-04-2026 in CC No. 5062 of 2020 passed by Ld. XV Additional Chief Metropolitan Magistrate at Hyderabad, Under Sections 498-A, 420 of the Indian Penal Code (for short 'IPC') and 4, 6 of the Dowry Prohibition Act (for short 'the Act').

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 Suspend the operation of order dated 10-4-2026 in CC No. 5062 of 2020 passed by Ld. XV Addl. Chief Metropolitan Magistrate at Hyderabad, Under Sections 498-A, 420 of the Indian Penal Code (for short 'IPC') and 4, 6 of the Dowry Prohibition Act (for short 'the Act').

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Pranay Sohini , Advocate for the Petitioner and Sri Jithender Rao Veeramalla, Additional Public Prosecutor on behalf of 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.7164 of 2026

Date: 01.05.2026

Between:

Amardeep Yadav

...petitioner/accused No.1

AND

The State of Telangana and another

...respondents

ORDER

This criminal petition is filed aggrieved by the impugned docket order dated 10.04.2026 passed by the XV Additional Chief Metropolitan Magistrate at Hyderabad (for short 'the Trial Court') in C.C.No.5062 of 2020 whereunder, the application filed by the petitioner, seeking recall of the Non-Bailable Warrant (for short 'NBW') was dismissed.

2. Heard Sri Pranay Sohini, learned counsel for petitioner, and Mr. Jithender Rao Veeramalla, learned

Additional Public Prosecutor appearing for respondent No.1.

3. With their consent, this Criminal Petition is disposed of at the stage of admission.

4. As the petitioner is not seeking any relief against respondent No.2, notice in respect of respondent No.2 is dispensed with.

5. The learned counsel for the petitioner submitted that the petitioner, who is presently discharging his duties as a doctor and residing at Gurugaon, Haryana, was unable to appear before the Trial Court on 10.04.2026 due to his professional commitments. However, on his behalf, his counsel duly appeared before the Trial Court and filed an application under Section 317 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.'), explaining the reasons for his absence and seeking an adjournment. But, the learned Trial Court, without properly considering the reasons assigned in the said application, dismissed the same and proceeded to issue a Non-Bailable Warrant against the petitioner. Unless this Court recalls the NBW

issued against the petitioner, he will be put to great hardship. Learned counsel further submits that the petitioner is ready and willing to appear before the Trial Court on 06.06.2026 and also will represent through his counsel, on each and every date of adjournment, whenever his presence is required.

6. Learned Additional Public Prosecutor submitted that due to the non-cooperation of the petitioner, the trial Court has not been able to proceed with the matter. The petitioner remained absent on several occasions, and therefore, the trial Court rightly dismissed the application filed by the petitioner. The petitioner has straightaway approached this Court seeking recall of NBW. Hence, the Criminal Petition is not maintainable.

7. Having considered the rival submissions made by the respective parties and upon perusal of the material available on record, it reveals that the petitioner is arrayed as accused No.1 in C.C.No.5062 of 2020, registered for the offences punishable under Sections 498-A and 420 of the Indian Penal Code, 1860 and Sections 4 and 6 of the

Dowry Prohibition Act, 1961. Even according to the learned counsel for the petitioner, the matter before the Trial Court is coming up for examination of accused. It is not in dispute that the petitioner is residing at Gurugaon, Haryana. On 10.04.2026 the petitioner did not appear before the Trial Court, however, on his behalf, his counsel duly appeared and filed an application under Section 317 of the Cr.P.C., explaining the reasons for his absence and seeking an adjournment and the same was dismissed by the learned Trial Court and issued NBW against the petitioner. Even according to the learned counsel for the petitioner, the petitioner is ready and willing to appear before the Trial Court on 06.06.2026 for his examination and also will appear before the Trial Court whenever his presence is required and he will represent through his counsel, on each and every date of adjournment.

8. Taking into consideration the peculiar facts and circumstances of the case and also the occupation of the petitioner and his residence, the impugned docket order dated 10.04.2026 passed by the XV Additional Chief

Metropolitan Magistrate at Hyderabad (for short 'the Trial Court') in C.C.No.5062 of 2020 is set aside subject to the condition that the petitioner shall file a sworn undertaking before the trial Court that he will appear before the Trial Court on 06.06.2026 and whenever his presence is required and also he shall be represented through his counsel on each and every date of hearing. In case of non-appearance on the specific date fixed by the trial Court for his appearance, the trial Court is entitled to proceed with the matter, in accordance with law.

9. With the above direction, the criminal petition is disposed of, accordingly.

Pending miscellaneous applications, if any, shall stand closed.

Sd/- N SRIHARI,
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Ld. XV Additional Chief Metropolitan Magistrate at Hyderabad
2. The Station House Officer, Women Police Station Begumpet, Hyderabad
3. One CC to SRI. PRANAY SOHINI, Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR High Court for the State of Telangana, at Hyderabad [OUT]
5. Two CD Copies

ADK

(S.R.)

HIGH COURT

DATED: 01/05/2026

ORDER

CRLP.No.7164 of 2026



DISPOSING OF THE CRLP

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1/5/26