

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

**TUESDAY, THE SEVENTH DAY OF JULY
TWO THOUSAND AND TWENTY SIX**

:PRESENT:

**THE HONOURABLE SRI JUSTICE J SREENIVAS RAO
CRLP NO: 9649 OF 2026**

Between:

Maram Hanmantha Reddy, S/o Chukka Reddy.

.....Petitioner/Accused No.1

AND

1. The State of Telangana, Rep by its Public Prosecutor High Court of of Telangna at Hyderabad

Respondent

2. Budida Divya, D/o B.Maraiah, aged 23 years, Occ private Employee R/o Room No. 302 Sri Balaji Ladies Hostel, Yousufguda, N/o 4-23/7 Muni Pampula, Ramannapet, Nalgonda district

.....Respondent/Defacto Complainant

Petition under Section 528 of B.N.S.S. 2023, 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 FIR No. 295/2026 dated 19-6-2026 on the file of P.S. O.U. City Hyderabad against the Petitioner/Accused No 1.

I.A. NO: 2 OF 2026:

Petition under Section 528 of B.N.S.S. 2023, 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 including arrest of the Petitioner/Accused No.1 in FIR No. 295/2026 dated 19-6-2026 on the file of P.S. O.U. City Hyderabad, pending disposal of CRLP No 9649 of 2026, on the file of the High Court.

The petition coming on for hearing, upon perusing the petition and the grounds filed in support thereof and upon hearing the arguments of Mr. Mandru Sambasiva Rao Advocate for the Petitioner and Additional Public Prosecutor for respondent No.1, the Court made the following;

ORDER:

Notice before admission.

Learned Additional Public Prosecutor takes notice on behalf of respondent No.1 and seeks time for getting instructions and to proceed with the matter.

Learned counsel for the petitioner 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 Additional Public Prosecutor submitted that pursuant to the order dated 30.06.2026, the Investigating Officer served notice to respondent No.2/*de facto* complainant on 01.07.2026. In spite of the same, respondent No.2 has not chosen to enter appearance.

Mr.Mandru Sambasiva Rao, learned counsel for the petitioner submitted that the petitioner has not committed the alleged offences and has been falsely implicated in the present case. He further submitted that the petitioner is an Executive Officer at GRT Elite, MGRI, Habsiguda wherein respondent No.2 worked as Customer Service Management staff in the said company and her services were terminated. At this juncture, respondent No.2 filed the present complaint by making omnibus allegations against the petitioner though the petitioner has not abused her in the name of her caste. Even according to the allegations levelled in the complaint, the ingredients of the offences under Sections 785, 351(2), 352 of the Bharatiya Nyaya Sanhita, 2023 and 3(1)(w)(ii), 3(2)(va) of SC/ST(POA) Act, 2015 are not attracted. He further submitted that the imprisonment for the alleged offences is less than seven years. However, 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 petitioner. 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 the petitioner is concerned.

¹(2014) 8 SCC 273

Post on 01.09.2026.

**Sd/- C.DEEPIKA
ASSISTANT REGISTRAR**

//TRUE COPY//


SECTION OFFICER

To,

1. The S.H.O., O.U. City P.S., Hyderabad District.
2. The IV Addl. Chief Judicial Magistrate at Hyderabad.
3. Budida Divya, D/o B.Maraiah, aged 23 years, Occ private Employee R/o Room No. 302 Sri Balaji Ladies Hostel, Yousufguda, N/o 4-23/7 Muni Pampula, Ramannapet, Nalgonda district
[By SPAD]
4. One CC to Mr. MANDRU SAMBASIVA RAO 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: 07-07-2026

POST ON 01.09.2026

**ORDER
CRLP.No.9649 of 2026**

DIRECTION

