

(SHOW CAUSE NOTICE BEFORE ADMISSION)
HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
THURSDAY, THE SECOND DAY OF JULY
TWO THOUSAND AND TWENTY SIX

:PRESENT:
THE HONOURABLE SRI JUSTICE J SREENIVAS RAO
CRLP NO: 9729 OF 2026

Between

Dhanraj Singh, S/ o. Ram Raj Singh,

.....PETITIONER/Accused No.3

AND

1. State of Telangana, Rep. by its Public Prosecutor, High Court at, Hyderabad
2. Sunny Varma, S/o Virendra Varma, Occ. Sales Executive at Krishnam Jewellers, & Madhava Raghava LLP, R/o. H.No 3-6-369/B/3, Sphinx Apartment, Street No. 1, Himayatnagar, Hyderabad

Respondents

WHEREAS the Petitioner above named through his Advocate Sri. S VIPLAV SIMHA REDDY 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 No. 492 of 2026 on 19-06-2026 on the file of Police Station Panjagutta, against the Petitioner/ Accused No.3.

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri. S VIPLAV SIMHA REDDY Advocate for the Petitioner, 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:

Sunny Varma, S/o Virendra Varma, Occ.. Sales Executive at Krishnam Jewellers, & Madhava Raghava LLP, R/o. H.No 3-6-369/B/3, Sphinx Apartment, Street No. 1, Himayatnagar, Hyderabad.

are directed to show cause on or before 17.08.2026 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 grant stay of all further proceedings in Crime No. 492 of 2026 on 19-06-2026 on the file of Police Station Panjagutta against the Petitioner/ Accused No.3 pending final disposal of the main Criminal Petition.

The Court made the following:

ORDER

Notice before admission.

Learned Additional Public Prosecutor takes notice on behalf of respondent No.1 and seeks a weeks' time to get 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 counsel for the petitioner submits that the petitioner has not committed the alleged offences and has been falsely implicated in the present crime. The allegations levelled against the petitioner are pertaining to the monetary transactions. Even according to the allegations made in the complaint, the ingredients of Sections 316 and 318(4) r/w. 3(5) of the Bharatiya Nyaya Sanhita, 2023, cannot go together, particularly in view of the law laid down by the Hon'ble Supreme Court in *Delhi Race Club v. State of Uttar Pradesh*¹. He further submitted that the offences levelled against the petitioner 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*², 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

¹ (2024) 10 SCC 690

² (2014) 8 SCC 273

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, insofar as petitioner/accused No.3 is concerned.

Post on 17.08.2026.

Sd/- T.SRINIVASA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The XIV Addl. Chief Judicial Magistrate at Nampally, Hyderabad.
2. The Station House Officer, Panjagutta Police Station, Hyderabad.
3. Sunny Varma,, S/o Virendra Varma, Occ.. Sales Executive at Krishnam Jewellers, and Madhava Raghava LLP, R/o. H.No 3-6-369/B/3, Sphinx Apartment, Street No. 1, Himayatnagar, Hyderabad[by SPAD-along with a copy of petition and memorandum of grounds]
4. One CC to Sri. S VIPLAV SIMHA REDDY 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: 02-07-2026

NOTICE BEFORE ADMISSION

POST ON 17.08.2026



CRLP.No.9729 of 2026

DIRECTION