



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

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

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 10735 OF 2026

BETWEEN:

Rajitha Guguloth, W/o Thirupathi @ Bhoopathi Guguloth, aged about 30 years,
Occ. Household work, ST/ Lambada caste, R/o H.No. 9-95, Badi Thanda village,
Rudrangi Mandal, Rajanna Sircilla District, Telangana - 500102.

...Petitioner/Accused No.2

AND

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

...Respondent

2. Gugulothu Gopal, S/o Varjya, aged about 32 years, Occ. Forest Watcher, ST/
Lambada caste, R/o Bandi Thanda village, Rudrangi Mandal, Rajanna Sircilla
District, Telangana.

...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 proceedings in FIR.No.63 of 2026 dated 14/06/2026 on the file of the P.S. Rudrangi, Rajanna Sircilla District, in the interest of justice.

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 grant stay of all further proceedings including arrest of the Petitioner herein /Accused No.2 in FIR. No.63 of 2026 dated 14/06/2026 on the file of the P.S.Rudrangi, Rajanna Sircilla District, pending disposal of the above Criminal Petition, in the interest of justice.



2026:TSHC:12719

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Nikhil Gautham Nagula, Advocate for the Petitioner and Sri Jithender Rao Veeramalla, learned Additional Public Prosecutor on behalf of the Respondent No.1 and none appeared for the Respondent No.2.

The Court made the following: ORDER



2026:TSHC:12719

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HONOURABLE SRI JUSTICE J.SREENIVAS RAO

CRIMINAL PETITION No.10735 of 2026

Date 14.07.2026

Between:

Rajitha Guguloth

...Petitioner/accused No.2

AND

The State of Telangana, and another

...Respondents

ORDER

This Criminal Petition has been filed seeking to quash the proceedings in Crime No.63 of 2026 of Rudrangi Police Station, Rajanna Sircilla District, wherein the petitioner was arrayed as accused No.2 for the offences punishable under Sections 118(1), 115(2), 292 read with 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS').

2. Heard Mr. Nikhil Goutham Nagula, learned counsel for the petitioner and Mr.Jithender Rao Veeramalla, learned Additional Public Prosecutor for respondent No.1. With their consent, this criminal petition is disposed of at the stage of admission.



3. Learned counsel for the petitioner submitted that the petitioner has not committed the alleged offence and has been falsely implicated in the present case. The allegations levelled in the complaint are purely civil in nature. Respondent No.2 ought to have approached the competent Civil Court, on the other hand, lodged the present complaint by giving it a criminal colour. Respondent No.2 lodged the present complaint against the petitioner and her husband/accused No.1, who is none other than the brother of respondent No.2, in respect of agricultural land disputes, especially, accused No.1 has also sustained injuries in the hands of respondent No.2. To dissolve the civil disputes pending between accused No.1 and respondent No.2, she filed lodged the present complaint. Even according to the allegations made in the complaint, the ingredients of the offences under Sections 118(1), 115(2) and 292 read with 3(5) of the BNS are not attracted against the petitioner.

4. He further submitted that the offences alleged against the petitioner are punishable with imprisonment of less than seven years. However, the Investigating Officer, with an intention to avoid the due procedure, altered the offence from Section 118(1) of the BNS to Section 118(2) of the BNS. He further submitted that accused No.1 was arrested and enlarged on bail. The allegations under Section



118(2) are levelled against accused No.1 only. The petitioner was only present at the scene of offence. Hence, continuation of the proceedings against the petitioner is a clear abuse of the process of law.

5. *Per contra*, learned Additional Public Prosecutor submitted that there are specific allegations levelled against the petitioner and accused No.1. Whether the said allegations are true or not, the same has to be revealed during the course of investigation, especially the investigation is under progress. Respondent No.2 sustained grievous injuries in the hand of accused No.1. The petitioner is also present at the scene of offence along with accused No.1. Hence, basing on the medical evidence, Section 118(1) of the BNS was altered to Section 118(2) of the BNS. He further submitted that the petitioner is not entitled to seek quashment of the proceedings at this stage.

6. Having considered the rival submissions made by the respective parties and upon perusal of the material available on record, it reveals that respondent No.2 and accused No.1 are none other than own brother and sister and there is a property dispute between them. Initially Crime No.63 of 2026 was registered on 14.06.2026 for the offences punishable under Sections 118(1), 115(2) and 292 read with 3(5) of the BNS. The said offences are punishable



with imprisonment of less than seven years. It is brought to the notice of the Court that basing on the medical report, the offence under Section 118(1) of the BNS was altered to Section 118(2) of the BNS.

7. The specific case of the petitioner is that petitioner was only present in the scene of offence and the offence under Section 118(2) of the BNS is not attracted against the petitioner and it attracts only against accused No.1. The accused No.1 was arrested and he was enlarged on bail.

8. Learned Additional Public Prosecutor has not opposed the above said submission.

9. Taking into consideration the peculiar facts and circumstances of the case, this Court is of the *prima facie* view that the ingredients of the offence punishable under Section 118(2) of the BNS may not attract against the petitioner and the other offences are punishable with imprisonment of less than seven years. Hence, the Investigating Officer is directed to follow the procedure contemplated under the provisions of the Bharatiya Nagarik Suraksha Sanhita, 2023, and guidelines formulated by the Hon'ble Supreme Court in *Arnesh*



*Kumar Vs. State of Bihar*¹, and the petitioner shall cooperate with the investigation.

10. Accordingly, the Criminal Petition is disposed of.

Miscellaneous applications, pending if any, shall stand closed.

**SD/- B.REKHA RANI
ASSISTANT REGISTRAR**

//TRUE COPY//

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SECTION OFFICER

To,

1. The Station House Officer, Rudrangi Police Station, Rajanna Sircilla District.
2. Two CCs to the Public Prosecutor, High Court of Telangana at Hyderabad [OUT]
3. One CC to Sri Nikhil Gautham Nagula, Advocate [OPUC]
4. Two CD Copies

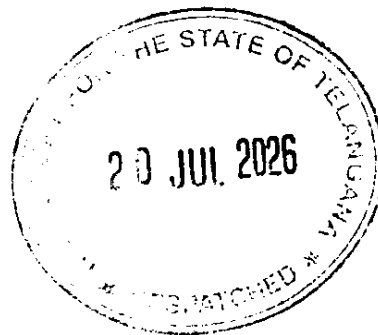
GNK/KA



2026:TSHC:12719

HIGH COURT

DATED: 14/07/2026



ORDER

CRLP.No.10735 of 2026

DISPOSING THE CRIMINAL PETITION

(7) NIT
18/7/26