

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

**THURSDAY, THE TWENTY FIRST DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SMT JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION NO: 10650 OF 2025

Between:

Amancha Prem Kiran, S/O Vasudeva Prakash, Aged about 32 Years, Occ
Business, R/O H.No 2648/2, First Floor, Prakritha Villa, Ingos Colony,
Gachibowli, Ranga Reddy District

...PETITIONER/ACCUSED NO 6

AND

1. The State of Telangana, Represented by its Public Prosecutor, High Court at Hyderabad
2. Sub Inspector of Police, Hasanparthy Police Station, Warangal District

...RESPONDENT/DEFACTO-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 against the Petitioner in CC No 1566 of 2019 on the file of the V Addl. Judicial First Class Magistrate at Warangal, in the circumstances mentioned above to meet the ends of justice.

I.A. NO: 2 OF 2025

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 stay of all further proceedings against the Petitioner CC No 1566 of 2019 on the file of the V Addl. Judicial First Class Magistrate at Warangal, pending disposal of the main case

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri ALLAMPALLY RUPADEVI, Advocate for the Petitioner and Mr V. Jithender Rao Additional Public Prosecutor on behalf of the Respondent No 1 and 2.

The Court made the following: ORDER

HON'BLE SMT. JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION No.10650 of 2025

ORDER:

This Criminal Petition is filed under Section 528 Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioners-accused No.6 seeking to quash the proceedings against him in CC No.1566 of 2019 on the file of V Additional Judicial Magistrate of First Class, Warangal, registered for the alleged offences punishable under Sections 420, 270, 273 IPC and 57 & 58 of Food Safety and Standard Act, 2006.

2. Heard Sri A. Rupa Devi, learned counsel for the petitioner and Sri Jithender Rao Veeramalla, learned Additional Public Prosecutor appearing for the respondents.

3. Learned counsel for the petitioner submitted that the matter is squarely covered by the orders of this Hon'ble Court in CrI.P.Nos.12333 of 2024, 152 of 2020 and batch and in several other judgments. Hence, he prayed that the proceedings against the petitioners be quashed.

4. Learned Additional Public Prosecutor also submitted that the issue raised in the present criminal petition is covered by the earlier order passed in the aforementioned criminal petitions.

5. Perused the record. It is revealed that the allegations in the present case pertain to purchase and sale of Gutka packets, which are

similar to the allegations considered in **Chidurala Shyamsunder vs The State Of Telangana¹**. In the said case it was observed that the act of purchase and sale of gutka does not fall under Section 270 of IPC as it does not spread any infectious disease and further it is not a noxious food to attract the offence under Section 273 of IPC. It is further observed that similar orders have been passed in CrI.P.Nos.12333 of 2024, 152 of 2020 and batch, and in several other matters.

6. Since the allegations in the present case are similar to the above said decisions, this criminal petition is allowed in terms of the above said order. The proceedings against the petitioner-accused No.6 in CC No.1566 of 2019 on the file of V Additional Judicial Magistrate of First Class, Warangal, are hereby quashed. Further, the Station House Officer/Investigating Officer is hereby directed to return the seized property on proper identification and verification under due acknowledgment.

Miscellaneous Petitions pending, if any, shall stand closed.

SD/- P.PONNA KRISHNA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The V Addl. Judicial First Class Magistrate at Warangal
3. The Sub Inspector of Police, Hasanparthy Police Station Warangal District
2. One CC to SRI. ALLAMPALLY RUPADEVI Advocate [OPUC]

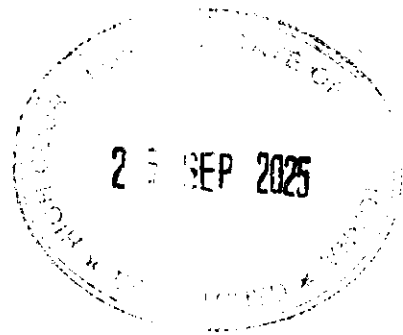
3. Two CC to SRI. PUBLIC PROSECUTOR Advocate [OUT]
4. Two CD Copies

PA

AG/PSL

HIGH COURT

DATED:21/08/2025



ORDER

CRLP.No.10650 of 2025

CRLP IS ALLOWED

(7)

PA
25/9/25