

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

**FRIDAY, THE TWENTY SECOND DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SMT JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION NO: 10693 OF 2025

Between:

1. I. Raj Kumar Yadav, S/o. Late I. Balaiah Yadav, Age 47 years, Occ: Business, R/o. H.No. 672, Sadar Bazar, Bollaram, Secunderabad-500 010.
2. I. Archita Yadav, W/o. I. Raj Kumar Yadav, Age 45 years, Occ: Housewife, R/o. H.No.672, Sadar Bazar, Bollaram, Secunderabad-500 010.

...PETITIONER/ACCUSED No.2 & 3

AND

1. The State of Telangana, rep. by its Public Prosecutor, High Court of Judicature at Hyderabad.
2. Union Bank of India (Erstwhile Andhra Bank), Rep by its Branch Manger, Hitech City Branch, Cyber Towers, Madhapur, Hyderabad.

...RESPONDENTS

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 C.C.No. 3308 of 2019 (On the file of X Additional Judicial Magistrate of First Class at Kukatpally, Ranga Reddy District.

I.A. NO: 1 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 including arrest of the petitioners/accused No. 2 and 3 in C.C.No. 3308 of 2019 (On the file of X Additional Judicial Magistrate of First Class at Kukatpally, Ranga Reddy District, pending disposal of the above criminal petition.'

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

The Court made the following ORDER:

HON'BLE SMT. JUSTICE TIRUMALA DEVI REDDA

CRIMINAL PETITION No.10693 of 2024

ORDER:

This Criminal Petition is filed under Section 528 Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioners/accused Nos.2 and 3 seeking to quash the proceedings against them in C.C.No.3308 of 2025 on the file of X Additional Judicial Magistrate of First Class at Kukatpally, registered for the alleged offence punishable under Section 420 of Indian Penal Code, 1860 (for short 'IPC').

2. Heard Smt.CH.Sowmya, learned counsel for the petitioners and Mr.Jithender Rao Veeramalla, learned Additional Public Prosecutor appearing for the respondent No.1-State.

3. Learned counsel for the petitioners submitted that petitioners had obtained a loan from Andhra Bank and, due to their financial difficulties, they were unable to pay it on time. Subsequently, they entered into a one-time settlement with the Bank and are ready to pay the amount. However, the present complaint has been lodged with malicious intent, merely to harass

them. She, therefore, prayed to quash the proceedings against the petitioners.

4. Learned Additional Public Prosecutor has opposed, stating that pursuant to the one-time settlement, petitioners have not paid amounts to the bank. Hence, he prayed to dismiss the petition.

5. Perused the record. It reveals that as of 16.09.2019, the petitioners had paid only Rs.5,00,000/-, whereas they were required to pay 10% of the loan amount as an upfront fee, amounting to Rs. 28,00,000/-. Despite this requirement, the petitioners had paid only Rs.5,00,000/- as of the said date. The bank authorities addressed a letter to the petitioners, stating that their proposal would be processed only upon submission of the 10% upfront fee towards the settlement amount. Although the one-time settlement was proposed in 2019, no further efforts have been made by the petitioners to make the required payment. Hence, the petitioners are not entitled to seek any relief.

6. Therefore, the Criminal Petition is liable to be and is accordingly dismissed.

7. As a sequel, the miscellaneous petitions pending, if any, shall stand closed.

SD/- U.SUDHA
ASSTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The X Additional Judicial Magistrate of First Class at Kukatpally.
2. The XII Addl. Metropolitan Magistrate, Kukatpally, Cyberabad.
3. The Station House Officer, Police Station Madhapur, Cyberabad District.
4. One CC to Sri. CH. SOWMYA, Advocate [OPUC].
5. Two CCs to PUBLIC PROSECUTOR, High Court for the State of Telangana at Hyderabad [OUT].
6. Two CD Copies

TTS/psl



HIGH COURT

DATED: 22/08/2025

ORDER



CRLP.No.10693 of 2025

CRIMINAL PETITION IS LIABLE TO BE
AND IS ACCORDINGLY DISMISSED

QMT
10/11/25