

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

WEDNESDAY, THE SIXTEENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SMT JUSTICE JUVVADI SRIDEVI

CRIMINAL PETITION NO: 12431 OF 2024

Between:

Ramesh Gaikwad, S/o Late Hanmanth Rao;

Petitioner/Accused No.3

AND

1. The State of Telangana, Rep, by its Public Prosecutor, High Court of Telangana at Hyderabad.
2. Mohammed Habibullah Khan, S/o. Not Known Occ - Station House Officer, Gachibowli Police Station. Cyberabad.
3. Sri.K.Shashi Kumar, S/o.Late.K.N.Rao, Aged about 67 years occ. Business, R/o.H.No.7-1-56/1/B, Shyam Karan Road Ameerpet,Hyderabad.
4. Smt.K. Satya Durga, W/o. K. Shashi Kumar D/o. Late Sheshagiri Rao Aged about 61 years occ. Housewife R/o.H.No.7-1-56/1/B, Shyam Karan Road Ameerpet,Hyderabad.
5. Dr. D.Nagendra babu, S/o. Not Known Age Not known Occ. Business R/o.H.No.7-1-56/1/B, Shyam Karan Road Ameerpet,Hyderabad.

Respondents

Petition under Section 528 of BNSS, praying that in the circumstances stated in the affidavit filed in support of the Criminal Petition, the High Court may be pleased to quash the proceedings in FIR.No.1539/2024 dt.09/05/2023, on the file of P.S. Gachibowli for offence u/s.308 (5), 329 (3), 324 (4) and 351 (2) of BNS Act against the Petitioner/A3 in the interest of Justice and equity;

IA NO: 2 OF 2024

Petition under Section 528 of BNSS praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to Stay of all further proceedings in FIR.No.1539/2024 dt.09/10/2024, on the file of P.S.Gachibowli including the arrest of the Petitioner/A3 for pending disposal of CRLP 12431 of 2024, 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 Sri CH JANARDHAN REDDY, Advocate for the Petitioner, PUBLIC PROSECUTOR for the Respondent No.1, the Court made the following;

ORDER

Registry is directed to put up vakalat filed by the learned counsel for respondent Nos.2 to 5 and list on 20.11.2024.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor appearing for the State-respondent.

A perusal of the record discloses that the matter is 'civil in nature'. Therefore, this Court deems it appropriate to direct the Investigating Officer in respect of Crime No.1539 of 2024 of Gachibowli Police Station, to proceed with the investigation. However, no coercive steps shall be taken against the petitioner/accused No.3, till 20.11.2024.

**SD/- V.HARI PRASAD
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The X Addl. Metropolitan Magistrate, Kukatpally at Prashanth Nagar, Cyberabad.
2. The SHO, Gachibowli Police Station, Hyderabad.
3. Mohammed Habibullah Khan, S/o. Not Known Occ - Station House Officer, Gachibowli Police Station, Cyberabad.
4. Sri. K.Shashi Kumar, S/o. Late K.N.Rao, R/o.H.No.7-1-56/1/B, Shyam Karan Road Ameerpet, Hyderabad.
5. Smt. K. Satya Durga, W/o. K. Shashi Kumar D/o. Late Sheshagiri Rao, R/o.H.No.7-1-56/1/B, Shyam Karan Road Ameerpet, Hyderabad.
6. Dr. D.Nagendra babu, S/o. Not Known, R/o.H.No.7-1-56/1/B, Shyam Karan Road Ameerpet, Hyderabad. (for 3 to 6 by RPAD)
7. One CC to SRI. CH JANARDHAN REDDY, Advocate [OPUC]
8. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad.[OUT]
9. One spare copy

HIGH COURT

JSJ

DATED:16/10/2024

LIST ON 20.11.2024

ORDER

CRLP.No.12431 of 2024



DIRECTION