



2025:TSHC:48176

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

**THURSDAY, THE TWENTY THIRD DAY OF OCTOBER
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SMT JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION NO: 12827 OF 2025

Between:

1. Smt. Vani Nayab, W/o Suresh Nayab, Aged 52 years, Occ. Housewife R/o H.No.4-5-756, Badichowdi, Kuthbiguda, Hyderabad 27.
2. Sri. Aashish Nayab, S/o Suresh Nayab, Aged 32 years, Occ. Business, R/o H.No.4-5-756, Badichowdi, Kuthbiguda, Hyderabad 27.
3. Smt. Manisha Nayab, W/o Aashish Nayab, Aged 25 years, Occ. Doctor, R/o H.No.4-5-756, Badichowdi, Kuthbiguda, Hyderabad 27

...Petitioner/Accused

AND

1. The State of Telangana, Represented by Public Prosecutor High Court at Hyderabad
2. T Poonam Singh, W/o Mahendar Singh, Aged unknown Major, Occ. Unknown, R/o Plot No.238, Bathukamakunta, Bachupally, Medchal Malkajgiri

...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 FIR No. 186 of 2025, DT. 20/08/2025, on the file of the Sultan Bazar Police Station, Hyderabad District against the petitioner herein.

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 in FIR No. 186 of 2025, DT. 20-08-2025, on the file of the Sultan Bazar Police Station, Hyderabad District, in so far as the petitioner herein is concerned pending disposal of the Criminal Petition.



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This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Mr H PRASHANTH RAJ, Advocate for the Petitioners and Mr. JITHENDER RAO VEERAMALLA, the Additional Public Prosecutor on behalf of Respondent No.1 and none appeared for the Respondent No.2.

The Court made the following: ORDER



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THE HONOURABLE SMT.JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION No.12827 of 2025

ORDER:

This Criminal Petition is filed by the petitioners-accused seeking to quash the proceedings in Crime No.186 of 2025 on the file of Sultan Bazar Police Station, for the offences under Sections 351(2), 352, 79, 324 read with 3 (5) of BNS.

2. Heard Sri H. Prashanth Raj, learned counsel for the petitioners and Sri Jithender Rao Veeramalla, learned Additional Public Prosecutor for the respondent No.1-State.

3. Learned counsel for the petitioners has submitted that the present complaint is lodged bearing grudge against the petitioners herein as the petitioner No.1 has filed a complaint against the husband of de facto complainant and their relative. He further submitted that the allegations do not attract the offences alleged against the petitioners and that false allegations are made just to harass them and prayed to quash the proceedings against the petitioners.

4. Learned Additional Public Prosecutor has opposed the petition submitting that both the complaints are filed arising out of the



same incident that is alleged to have occurred between the petitioner and the de facto complainant. Thus, there are case and counter case pending between both the parties. He further submitted that the police have already issued notice under Section 35(3) of BNSS.

5. Perused the record.

6. There are two FIRs i.e. 185 of 2025 dated 20.08.2025 at 21.00 hours and 186 of 2025 registered on the same day at 23.20 hours. FIR No.185 of 2025 was registered against the husband of respondent No.2 herein and their relative on the complaint of the petitioner No.1 herein, while FIR No.186 of 2025 is registered against the petitioners on the complaint of respondent No.2. Thus, there are case and counter case pending between both the parties. As per the decision in **Punit Beriwal v. The State of Nct of Delhi And Ors.**¹, in cases involving cross FIRs, one case cannot be quashed while keeping the other pending. The investigation in the present case is in progress. The record discloses that the police have already issued notice under Section 35(3) of BNSS. Therefore, the petitioners can as well submit their reply to the said notice.

¹ 2025 LiveLaw (SC) 504



7. Hence, the criminal petition is disposed of directing the police concerned to consider the explanation submitted by the petitioners and the material furnished by them and complete the investigation strictly in accordance with law by following the guidelines formulated by the Hon'ble Apex Court in **Arnesh Kumar v. State of Bihar**² scrupulously, and the petitioners are also directed to co-operate with the Investigating Agency.

8. The Criminal Petition is disposed of with the above directions. Miscellaneous Petitions, if any pending, shall stand closed.

SD/- A SREENIVASA REDDY
ASSISTANT REGISTRAR

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//TRUE COPY//

SECTION OFFICER

To,

1. The II-Additional Chief Judicial Magistrate at Nampally, Hyderabad.
2. The Station House Officer, Sultan Bazar Police Station, Hyderabad.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana, at Hyderabad. [OUT]
4. One CC to Mr. H PRASHANTH RAJ, Advocate [OPUC]
5. Two CD Copies

ABK

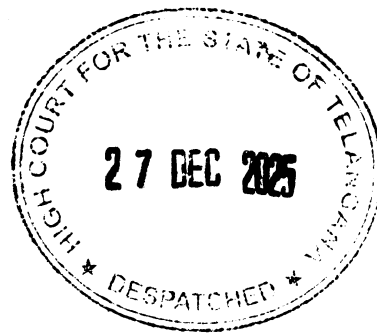
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HIGH COURT

DATED: 23/10/2025



ORDER

CRLP.No.12827 of 2025

DISPOSING OF THE CRIMINAL PETITION

(8)
07/12/25
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