

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

MONDAY, THE ELEVENTH DAY OF NOVEMBER  
TWO THOUSAND AND TWENTY FOUR

**:PRESENT:**

**THE HONOURABLE SRI JUSTICE E.V. VENUGOPAL**

**IA No. 2 OF 2024**

**IN**

**CRLP NO: 13543 OF 2024**

**Between:**

1. Bejjanki Hari Prasad Rao, S/o Late. B. Surender Rao
2. Karre Sudhakar Reddy, S/o. K. Raji Reddy;
3. Bomerica Ranga Reddy, S/o. B. Janga Reddy;

**Petitioners**

(Petitioner in CRLP 13543 OF 2024  
on the file of High Court)

**AND**

1. The State of Telangana, through S.H.O., P.S. Ghatkesar, Cyberabad Commissionerate, represented by Public Prosecutor, High Court at Hyderabad.
2. B. Gopal Reddy, S/o. Raji Reddy, Age 54 Years, Occ. Business, R/ o. Flat No. 407, Block No. A-33, Samskruthi Township, Pocharam Village, Ghatkesar Mandal Ranga Reddy District.

**Respondents**

(Respondents in-do-)

**Counsel for the Petitioner : Sri K VENUMADHAV**

**Counsel for the Respondent No.1 : Addl. PUBLIC PROSECUTOR**

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 including appearance of the petitioners/Accused No's. 1 to 3 in C.C. No. 495 of 2016, on the file of XIII Metropolitan Magistrate, Cyberabad, at L.B. Nagar, pending disposal of CRLP No. 13543 of 2024, on the file of the High Court.

The court while directing issue of notice to the Respondent No.2 herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case).

## **ORDER**

**Learned Additional Public Prosecutor present.**

**Learned counsel for the petitioners would submit that as against the law persistent as per the Judgment of the Hon'ble Supreme Court in case of "*Priyanka Srivastava v. State of U.P.*" [2015 AIR SCW 2075], the trial Court without there being any affidavit, mechanically preferred the FIR, hence, seeks indulgence of this Court to quash the proceedings against accused Nos. 1 to 3.**

**As seen from the complaint filed by the de- facto complainant on 19.08.2016, before the XIII Metropolitan Magistrate, Cyberabad at L.B.Nagar, in the list of documents, wherein it is mentioned that the affidavit filed.**

**This matter requires detailed examination.**

**In the meantime, as an interim measure, there shall be stay of all further proceedings against the petitioners/accused Nos.1 to 3 in C.C.No.495 of 2016 on the file of the XIII Metropolitan Magistrate, Cyberabad at L.B.Nagar till next date of hearing.**

**List this matter on 09.12.2024.**

**SD/-L.VIJAYA LAKSHMI  
ASSISTANT REGISTRAR**

**//TRUE COPY//**

**SECTION OFFICER**

**To,**

1. The XIII Metropolitan Magistrate at L.B.Nagar, Rachakonda.
2. The S.H.O., P.S. Ghatkesar, Cyberabad Commissionerate.
3. B. Gopal Reddy, S/o. Raji Reddy, R/ o. Flat No. 407, Block No. A-33, Samskruthi Township, Pocharam Village, Ghatkesar Mandal Ranga Reddy District. (by RPAD)
4. One CC to SRI. K VENUMADHAV Advocate [OPUC]
5. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad.[OUT]
6. One spare copy

**HIGH COURT**

**EVVJ**

**DATED:11/11/2024**

**LIST THIS MATTER ON 09.12.2024**

**ORDER**

**IA.No.2 of 2024**

**IN**

**CRLP.No.13543 of 2024**



**STAY**