

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

**FRIDAY, THE TWENTY FOURTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SMT JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION NO: 13031 OF 2025

Between:

Lanka Shiva Narayana Murthy, S/o Lanka LaxmiNarayana, Aged about 27 years,
Occ: Private Employee, Priest (Poojari), R/o Resident of H. No. 13-14-23, P and
T Colony, Gaddiannaram, Rangareddy

...PETITIONER/ACCUSED NO.1

AND

1. THE STATE OF TELANGANA, Through Public Prosecutor, High Court for the
State of Telangana at Hyderabad
2. DasariSathyaveni, S/o D. Veerababu, Age 36 yrs, R/o Kodandaram Nagar,
Saroornagar, Ranaga Reddy District

...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.1027/2025 of P.S. Saroornagar, L.B. Nagar
under Section 118 (1), 126(2), R/w 3 (5) BNS as the same is untenable either on
facts or under law

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 DIRECT the P.S. Saroornagar, L.B. Nagar to follow the Section 35
(3) of the BharatiyaNagarikSurkshaSanhita, 2023 including stay all further
proceedings pursuant to FIR No.1027/2025 of P.S. Saroornagar, L.B. Nagar
under Sections 118 (1), 126(2), R/w 3 (5) BNS including arrest of Petitioner
pending disposal of the main Criminal Petition

This Petition coming on for hearing, upon perusing the Memorandum of
Grounds of Criminal Petition and upon hearing the arguments of Sri ANKARLA
DHEERAJ, Advocate for the Petitioner and SRI. JITHENDER RAO
VEERAMALLA, Additional Public Prosecutor on behalf of the Respondent No.1

The Court made the following: ORDER

THE HONOURABLE SMT.JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION No.13031 of 2025

ORDER:

This Criminal Petition is filed by the petitioner-accused No.1 seeking to quash the proceedings in FIR No.1027 of 2025 on the file of Saroornagar Police Station, L.B. Nagar, Ranga Reddy District, for the offences under Sections 118(1), 126(2) read with 3(5) IPC.

2. Heard Sri Ankarla Dheeraj, learned counsel for the petitioner and Sri Jithender Rao Veeramalla, learned Additional Public Prosecutor for the respondent No.1 -State.

3. Learned counsel for the petitioner has submitted that the petitioner is facing false allegations and that there are no eye witnesses to the alleged incident and that the petitioner has never beaten the de facto complainant and the de facto complainant has not sustained any grievous injury and thus, the allegations are totally false. He further submitted that earlier he has lodged a complaint against the de facto complainant, but the police have not registered the same. However, the present case is filed by the de facto complainant as a counter blast, which is registered by the police and thus,

prayed to quash the proceedings against the petitioner, if not atleast to give a direction to the police concerned to invoke the procedure laid down under Section 35(3) of BNS.

4. Learned Additional Public Prosecutor has submitted that the statement of LW.1 clearly makes out the allegation that he was beaten by the petitioner herein and that he sustained fracture injury. He further submitted that the police could collect the injury certificate and the section of law was altered from 118(1) to that of 118(2) of BNS and thus, no relief can be granted to the petitioner and therefore, prayed to dismiss the petition.

5. Perused the record.

6. The contention of the learned counsel for the petitioner is that earlier the petitioner has lodged a complaint alleging that the de facto complainant has pelted stones at their gate due to which their pet dog was injured, but still the police failed to register any case and to overcome such case, the de facto complainant has filed the present complaint, as a counter blast, which is registered by the police. The contents of the complaint point out the allegations that the petitioner

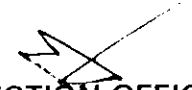
herein has beaten the de facto complainant resulting in fracture injury to the de facto complainant. The instructions submitted by the learned Additional Public Prosecutor show that the de facto complainant sustained grievous injury and medical certificate is collected by the prosecution. The investigation is in its nascent stage. Though the learned counsel for the petitioner prayed to invoke the procedure under Section 35(3) of BNSS, when the alleged offence is under Section 118(2) of BNS, which is punishable with more than 7 years of imprisonment, the said relief cannot be granted to the petitioner. Since the investigation is also not yet completed, it is not a fit case to quash the proceedings at this stage.

7. In the result, the Criminal Petition is dismissed.

Miscellaneous Petitions, if any pending, shall stand closed.

SD/- L. VIJAYA LAXMI
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Special Judicial Magistrate of First Class (Excise)-cum-V Additional Junior Civil Judge-cum- V Additional Metropolitan Magistrate at LB Nagar, Ranga Reddy District
2. The Station House Officer, Saroornagar Police Station, Saroornagar, Rachakonda Commissionerate.
3. One CC to SRI ANKARLA DHEERAJ Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT]
5. Two CD Copies

HIGH COURT

DATED: 24/10/2025

ORDER
CRLP.No.13031 of 2025



DISMISSING THE CRIMINAL PETITION

②
KPR
11/11/25