

**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: 12938 OF 2025

Between:

Shaik Hassan, S/o Shaik Mansoor, Age 37 years, Occ: fruit Business, R/o. 8- 1- 402/324, Gulshan colony, Shaikpet, VTC Golconda, Hyderabad, Telangana 5000083, N/o and present address- ram nagar colony, Nagarkurnool M & D, Telangana

...PETITIONER

AND

1. The State of Telangana, Rep. by its Public Prosecutor High Court for the State of Telangana at Hyderabad

...RESPONDENT/COMPLAINANT

2. MD. Fazil, S/o MD Jaleel, Age 30 years, Occ: Police Conistable PC1123, Amrabad Traffic PS, Nagarkurnool Dist, R/o Nagarkurnool M & D, Telangana

...RESPONDENT/DEFACTO COMPLAINANT

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 in Crime No. 337 of 2025 of Nagarkurnool Police Station, Nagarkurnool District, Telangana for an offences under section 132, 352 BNS registered against the Petitioner

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 all further proceedings in Crime No. 337 of 2025 of Nagarkurnool Police Station, Nagarkurnool District, Telangana for an offences under section 132, 352 BNS in the interest of justice 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 SABAVAT KRISHNA, Advocate for the Petitioner and SRI. JITHENDER RAO VEERAMALLA, Additional Public Prosecutor on behalf of the Respondent No.1 and None Appeared for the Respondent No.2

The Court made the following: ORDER

THE HONOURABLE SMT.JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION No.12938 of 2025

ORDER:

This Criminal Petition is filed by the petitioner seeking to quash the proceedings in Crime No.337 of 2025 on the file of Nagarkurnool Police Station, Nagarkurnool District, for the offences under Sections 132 and 352 of BNS.

2. Heard Sri Sabavat Krishna, 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 a small businessman, running a fruit juice center and that he never obstructed the duties of police and he is facing false allegations and that the complainant, being a police constable, is using his power on the poor petitioner. He, therefore, prayed to quash the proceedings against the petitioner.

4. Learned Additional Public Prosecutor has submitted that the petitioner parked his car across the road and when the complainant asked him to remove his car, which was obstructing the

traffic, the petitioner has abused respondent No.2 and obstructed his duties, and hence, he prayed to dismiss the petition.

5. Perused the record.

6. The allegations leveled against the petitioner herein are under Sections 132 and 352 of BNS, which are punishable with imprisonment of less than 7 years. Hence, without going into merits of the case, it is deemed appropriate to direct the police concerned to invoke the procedure under Section 35(3) of the Bharatiya Nagarik Suraksha Sanhita (for short 'BNSS').

7. Accordingly, the Criminal Petition is disposed of directing the police concerned to invoke the procedure under Section 35(3) of BNSS and also to follow the guidelines formulated by the Hon'ble Apex Court in **Arnesh Kumar v. State of Bihar**¹ scrupulously and the petitioner is also directed to co-operate with the Investigating Officer and to furnish the requisite information and documents as and when required by him.

(2014) 8 SCC 273

//TRUE COPY//

SD/- U. SUDHA
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Judicial First Class Magistrate at Nagarkurnool, Nagarkurnool District
2. The Station House Officer, Nagarkurnool Police Station, Nagarkurnool, Nagarkurnool District
3. One CC to SRI SABAVAT KRISHNA Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT]
5. **Two CD Copies**

VM/SA

HIGH COURT

DATED: 24/10/2025

ORDER
CRLP.No.12938 of 2025



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Asv
22/11/25

DISPOSING THE CRIMINAL PETITION