

**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: 13185 OF 2025

Between:

Gurunath Thakur Chavan, S/o. Thakur Chavan, Aged about 35 years, Occ. Pvt. Employee R/o. H.No 11-160/55, BJR Nagar, Near Prayer House, Malkajgiri, Medchal-Malkajgiri, T.S 500 047.

...PETITIONER/ACCUSED

AND

1. The State of Telangana,, Rep. by its Public Prosecutor, High Court at Hyderabad, Through Station House Officer, Jagadgirigutta Police Station, Cyberabad Police Commissionerate

...RESPONDENT/COMPLAINANT

2. Ashwini Nagaraj Gowda, D/o. Nagaraj, Aged about 25 years, Occ. Business R/o. H.No 2-135/135, Ushodaya Colony, Rodamestri Nagar, Gajularamram Cyberabad, TG-500 037

...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 SC.No.207/2025 on the file of Fast Track Special Court for expeditious trail and disposal of Rape and POCSO Act cases, Medchal-Malkajgiri Dist, at Kukatpally for alleged offences under Section 376(2)(n),417, 420, 312 of IPC

I.A. NO: 1 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 SC.No.207/2025 on the file of Fast Track Special Court for expeditious trail and disposal of Rape and POCSO Act cases, Medchal - Malkajgiri Dist, at Kukatpally for alleged offences under Section 376(2)(n),417,420,312 of IPC

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri SAMEER ANURAG JESHTADI, 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.13185 of 2025

ORDER:

This Criminal Petition is filed by the petitioner-accused seeking to quash the proceedings in SC No.207 of 2025 on the file of the Fast Track Special Court for expeditious trial and disposal of Rape and POCSO Act cases, Medchal-Malkajgiri District at Kukatpally, for the offences under Sections 376(2) n), 417, 420 and 312 IPC.

2. Heard Sri J. Sameer Anurag, 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 relationship between the petitioner and the de facto complainant is a consensual relationship and when the petitioner denied to marry her, as he is already married, the de facto complainant lodged this false complaint. He further submitted that in fact, the petitioner invested some amount in the Botique of the de facto complainant and she failed to return the same and to avoid payment of the said amount, the present case is foisted against the petitioner and that

continuation of proceedings would be an abuse of process of law. He, therefore, prayed to quash the proceedings.

4. Learned Additional Public Prosecutor has submitted that the de facto complainant is also a married woman and the contents of the complaint disclose that she was sexually assaulted by the petitioner herein forcibly. He, therefore, prayed to dismiss the petition.

5. Perused the record.

6. The de facto complainant herein is a married woman. It is alleged that the petitioner has expressed interest in learning about the business of Botique which is being run by the de facto complainant and has developed acquaintance with her and has forcibly committed sexual act in the first instance. The allegations further point out that believing him, she divorced her husband, got aborted twice, after which the petitioner has refused to marry her saying that he is already married and he would not divorce his wife. The petitioner contends that it is a consensual relationship, while the de facto complainant contends that she was forced into the sexual act and that she was forcibly assaulted in

the first instance. The truth or otherwise of the allegations, fall for consideration during the course of trial. Hence, it is not a fit case to quash the proceedings at this stage. However, it is deemed appropriate to dispense with the attendance of the petitioner before the trial court.

7. Accordingly, the Criminal Petition is disposed of dispensing with the attendance of the petitioner before the trial court provided, he is represented by a counsel before the trial court on every date of hearing and he shall be present before the trial court as and when his presence is required by the trial court.

Miscellaneous Petitions, if any pending, shall stand closed.

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Sd/- L. VIJAYA LAXMI
ASSTANT REGISTRAR

SECTION OFFICER

- To,
1. The Fast Track Special Court for expeditious trial and disposal of Rape and POCSO Act cases, Medchal-Malkajgiri Dist, at Kukatpally
 2. The Station House Officer, Jagadgirigutta Police Station Jagadgirigutta, Cyberabad Commissionerate
 3. One CC to SRI SAMEER ANURAG JESHTADI Advocate [OPUC]
 4. Two CCs to Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT]
 5. Two CD Copies

VM/SA

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HIGH COURT

DATED: 24/10/2025

ORDER
CRLP.No.13185 of 2025



DISPOSING THE CRIMINAL PETITION

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