



2025:TSHC:43659

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

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

PRESENT

THE HONOURABLE SMT. JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION NO: 14056 OF 2025

Between:

Gandla Spandana, W/o. Gandla Kiran Kumar, Age 30 years Occ: Chief Operating Officer of Dega Destination Pvt. Ltd. R/o. H.No.5-1-55, Vallabh Nagar, VTC. Mahabubnagar, PO. Mahabubnagar, Sub District. Mahabubnagar, District. Mahabubnagar, State. Telangana, PIN Code. 509001.

...Petitioner/A2

AND

1. The State of Telangana, Rep. by its Public Prosecutor, High Court for the State of Telangana Hyderabad.
2. The Station House Officer, Kushaiguda Police Station, Rachakonda.
3. M.A. Rafeeq, S/o. Late M.A. Yusuf Ali, Aged about 54 years, Occ. Business, R/o. H.No.1-10-1/259/8, Sainagar Colony, Kushaiguda, Kapra, Medchal-Malkajgiri District.

...Respondents/Complainant

Petition under Section 528 of B.N.S.S. praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to Quash FIR No. 754 of 2025, Dated 10/10/2025, on the file of Kushaiguda Police Station, Rachakonda, registered against the petitioner for the offences punishable 318(2), 318(3) BNS, 175(3) BNSS.

I.A. NO: 2 OF 2025

Petition under Section 528 of B.N.S.S. praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to stay with all further proceedings in FIR No. 754 of 2025, Dated 10.10.2025, on the file of Kushaiguda Police Station, Rachakonda against the Petitioners, pending disposal of the present quash 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 Sri M Keshav Yadav, Advocate for the Petitioner and Sri Jithender Rao Veeramalla, Additional Public Prosecutor on behalf of the Respondent No.1&2 and none appeared for the Respondent No.3.

The Court made the following: ORDER



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THE HON'BLE SMT. JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION No.14056 of 2025

ORDER:

This Criminal Petition is filed under Section 528 Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner/accused No.2 seeking to quash the proceedings against her in Crime No.754 of 2025 on the file of Kushaiguda Police Station, Rachakonda District, registered for the alleged offences punishable under Sections 318 (2) and 318 (3) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and Section 175 (3) of BNSS.

2. Heard Mr.M.Keshav Yadav, learned counsel for the petitioner and Mr.Jithender Rao Veeramalla, learned Additional Public Prosecutor appearing for the respondent Nos.1 and 2.

3. Learned Additional Public Prosecutor submitted that a notice under Section 35(3) of the BNSS has already been served on accused Nos.1 and 2 on 25.10.2025.

4. Learned counsel for the petitioner submitted that petitioner/accused No.2 has not received the notice under Section 35 (3) of BNSS so far.

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5. Considering the submissions of both the counsel and on perusal of the material available on record, it is seen that the allegations are under Sections 318 (2) and 318 (3) of BNS and 175 (3) of BNSS and the punishment prescribed for the said offences alleged against the petitioner is less than seven (07) years. Hence, without going into the merits of the case, this Court deems it appropriate to direct the petitioner to appear before the Investigating Officer on or before 20.11.2025 between 11:00 a.m. and 05:00 p.m. and in turn, the Investigating Officer is directed to follow the procedure laid down under Section 35 (3) of the BNSS (previously section 41-A of Criminal Procedure Code, 1973) and also the guidelines formulated by the Hon'ble Supreme Court of India in ***Arnesh Kumar v. State of Bihar***¹ scrupulously. However, the petitioner shall submit her defense and co-operate with the Investigating Officer as and when required by furnishing information and produce all relevant documents/material required for the purpose of the investigation and the Investigating Officer shall consider the same and shall complete the investigation strictly in accordance with law.

¹ (2014) 8 SCC 273



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ETD, J
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6. With the above said observations, this Criminal Petition is disposed of.

7. As a sequel, the miscellaneous petitions pending, if any, shall stand closed.

Sd/- K BHAVANI SWAMY
ASSISTANT REGISTRAR
SECTION OFFICER

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To,

1. The State of Telangana, Rep by its Public Prosecutor, High Court for the State of Telangana Hyderabad.
2. The Station House Officer, Kushaiguda Police Station, Rachakonda.
3. M.A. Rafeeq, S/o. Late M.A. Yusuf Ali Aged about 54 years, Occ. Business, R/o. H.No.1-10-1/259/8, Sainagar Colony, Kushaiguda, Kapra, Medchal-Malkajgiri District.
4. One CC to Sri. M Keshav Yadav, Advocate [OPUC]
5. Two CCs to Public Prosecutor, High Court for the State of Telangana. [OUT]
6. Two CD Copies.

YJR/ABK

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HIGH COURT

DATED:30/10/2025

ORDER

CRLP.No.14056 of 2025



DISPOSING OF THE CRIMINAL PETITION.

9 copies
by
21/11/25