



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

WEDNESDAY, THE TWENTY SIXTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SMT JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION NO: 15489 OF 2025

Between:

1. Neeraj Bansal, S/o Girraj Bansal, aged 30 years, R/o E-11, 4th Floor, Jasmine Block, NSK Platina HMT Makhta, Miyapur, Hyderabad -500049.
2. Animesh Bhunia, S/o Amir Kumar Bhunia, aged 30 years, R/o VPO. Radhamohanpur, PS. Debra, Paschim Medinipur, West Bengal, 721160

...Petitioners/Accused No.1 & 2

AND

1. The State of Telangana through PS EOW CYB, Represented by its Public Prosecutor, High Court for the State of Telangana at Hyderabad
2. Syed Jahangir Nazir, S/o Nazir Ahmed Qureshi, aged 36 years, Bul Bul Bagh, Barzulla, Srinagar, Jammu and Kashmir-190009

...Respondents/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 call for the records in FIR No. 83 of 2025 registered by the PS EOW (Cyb) Cyberabad and quash the same in so far as the Petitioners are concerned.

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 grant stay of all further proceedings including the arrest of the Petitioners herein in relation to FIR No. 83 of 2025 registered by the PS EOW (Cyb) Cyberabad 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



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Sri Sirgapoor Sahil Reddy, Advocate for the Petitioners 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



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THE HON'BLE SMT. JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION No.15489 of 2025

ORDER:

1. This Criminal Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking to quash the proceedings against the petitioners/accused Nos.1 and 2 in FIR.No.83 of 2025 on the file of EOW (Cyberabad) Police Station, Cyberabad registered for the offences under Sections 316 (2), 318(4) r/w 61(2) of BNS.
2. Heard Sri. Sahil Reddy, learned counsel for the petitioners/accused Nos.1 and 2, as well as Sri Jithender Rao Veeramalla, the learned Additional Public Prosecutor appearing for the respondent No.1-State.
3. Learned counsel for the petitioners has restricted his submission stating that a direction be issued to the Police to follow the procedure prescribed under Section 35 (3) of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS').
4. On the other hand, the learned Additional Public Prosecutor submitted that the punishment prescribed for the offences alleged against the petitioner is less than seven (07) years and has sought for directions to the Police to proceed with investigation by issuing

notice under Section 35(3) of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS').

5. Perused the record. The allegations leveled against the petitioners pertain to the offences under 316(2), 318 (4) r/w 61(2) of BNS, which attracts punishment of less than seven years. Hence, without going into the merits of the case, this Court deems it appropriate to direct the petitioners/accused Nos.1 and 2 to appear before the Investigating Officer on or before 17.12.2025 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 petitioners/accused Nos.1 and 2 shall submit their defense and co-operate with the Investigating Officer as and when required by furnishing information and producing all relevant documents/material required for the purpose of investigation and the Investigating Officer shall consider the same and complete the investigation strictly in accordance with law.

¹ (2014) 8 SCC 273



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ETD, J
CrIp_15489_2025

6. Accordingly the Criminal Petition is disposed of.

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

SD/- AHMED ABDULLA KHAN
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Station House Officer, EOW Cyb (Cyberabad) Police Station, Cyberabad
2. Two CCs to Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT]
3. One CC to Sri Sirigapoor Sahil Reddy, Advocate [OPUC]
4. Two CD Copies

ABK /PSL



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HIGH COURT

DATED: 26/11/2025

ORDER

CRLP.No.15489 of 2025



DISPOSING OF THE CRIMINAL PETITION

⑦MT
10/12/25