

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

WEDNESDAY, THE TWENTY FOURTH DAY OF JUNE
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 8491 OF 2026

Between:

1. Mrs Farzana Shah Khan, W/o V.S. Khan, Aged about 62 yrs, Occ: Pensioner, R/o Flat No. 405B Moon Rock Apartments, Masab Tank, Hyderabad.
2. Aslam Shah Khan, S/o Sri V.S. Khan, Aged about 35 yrs, Occ: Pvt employee, R/o Flat No. 405B Moon Rock Apartments, Masab Tank, Hyderabad.
3. V.S. Khan, S/o late Sri M.M. Shah Khan, Aged about 68 yrs, Occ: Pensioner, R/o Flat No. 405B Moon Rock Apartments, Masab Tank, Hyderabad.

...PETITIONERS/A1, 2 & 3

AND

1. The State of Telangana, through its Public Prosecutor, having office at T.S. High Court, Hyderabad.
2. Chaithanya Ankam, D/o late Raju Ankam Aged about 47 years, Occupation: house wife R/o Flat no 102/B, Moon Rock Apartment, Masab Tank, Hyderabad

...RESPONDENTS/DE-FACTO 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 entire records relating to FIR no. 118 of 2026 on the file of VI Additional Chief Metropolitan Magistrate, Hyderabad at Nampally, P.S. Masabtank, Hyderabad.

6. Having considered the rival submissions made by the respective parties and upon perusal of the material available on record, it reveals that respondent No.2 had earlier filed a complaint against the petitioners vide Crime No.232 of 2022. On such complaint, the Investigating Officer, after conducting investigation, filed a final report as 'lack of evidence'. It is not in dispute that the petitioners have filed a suit vide O.S.No.490 of 2026 on the file of the IX Junior Civil Judge, City Civil Court, Hyderabad, against respondent No.2, and the same is pending. Respondent No.2 filed the present complaint on 26.05.2026. Whether the allegations levelled in the complaint are true or not will be revealed during the course of investigation.

7. Even according to the learned Additional Public Prosecutor, the Investigating Officer has already issued notices under Section 41-A of the Cr.P.C./ Section 35(3) of the BNSS to petitioner No.1 on 12.06.2026 and to petitioner Nos.2 and 3 on 13.06.2026. Hence, this Court is of the considered view that the petitioners are entitled to put forth their grievance pursuant to the said notices by raising all the pleas, including the pleas raised in the present Criminal Petition. They are also entitled to submit the documents which are in their possession, including a copy of the final report in Crime No.232 of 2022 and a copy of the status quo

order dated 30.03.2026 in I.A.No.176 of 2026 in O.S.No.490 of 2026 to the Investigating Officer.

8. Subject to the above directions, the Criminal Petition is disposed of.

Miscellaneous applications, pending if any, shall stand closed.

//TRUE COPY//

**SD/-K. BHAVANI SWAMY
ASSISTANT REGISTRAR**

SECTION OFFICER

To

1. The VI Additional Chief Metropolitan Magistrate, Hyderabad at Nampally
2. The Station House Officer, Masab Tank Police Station, Hyderabad District.
3. Two CCs to Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
4. One CC to Sri. Mohammad Adnan, Advocate [OPUC]
5. Two CD Copies

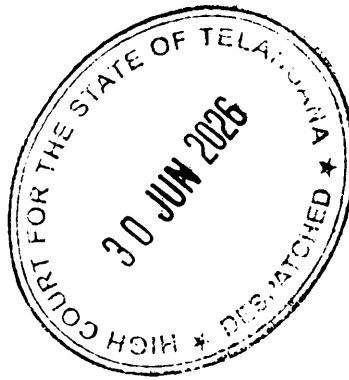

Pr/BA

HIGH COURT

DATED: 24/06/2026

ORDER

CRLP.No.8491 of 2026



**DISPOSING OF THE
CRIMINAL PETITION**

Smt
30/6/26