

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

**MONDAY, THE TWENTIETH DAY OF JULY
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 10980 OF 2026

Between:

1. Mohammed Arshad alias Sri Arshad, S/o Zahur Ali Age. 23 yrs, Occ. Business, R/o, 4-67, Bashirabad, Bashirabad, K.V. Rangareddy District, Telangana.501143
2. Md Zakir Sha Quadri alias Zakir, S/o .MD Raheern Sha Quadri, Age.39 yrs, Occ .Business, R/o Manhalli, P O Manhalli District Bidar, Karnataka.
3. MD Burhanuddin, S/o Md Nazeerudin, Age 30 Years, Occ. Owner of the Vehicle bearing No. KA 567704, R/o. 11-61, top gain, Humnabad, VTC. Humnabad, District. Bidar, Karnataka State-585330.

...PETITIONERS/ACCUSED

AND

1. The State of Telangana, Rep. By its Public Prosecutor High Court of Telangana at Hyderabad.
2. Sri Khaleel Ahmed, S/o Late Shaik Madar, Age. 40 years, Caste. Muslim, Occ. Deputy Tahasildar (DTCS), R/o New Malakpet, Hyderabad.

...RESPONDENTS/COMPLAINANTS

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 proceedings in Crime.No.955 of 2026 On the file of PS Patancheru, District Sangareddy, against the petitioners/ accused.

I.A. NO: 2 OF 2026

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 in Crime.No. 955 of 2026 On the file of PS Patancheru, District Sangareddy, 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 C VIVEKANAND, Advocate for the Petitioner and Sri Jithender Rao Veeramalla, the Additional Public Prosecutor on behalf of the Respondent No.1 and none appeared for the Respondent No.2.

The Court made the following: ORDER

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.10980 of 2026

DATE: 20.07.2026

Between :

Mohammed Arshad @ Sri Arshad and two others

....Petitioners

AND

The State of Telangana and another

....Respondents

: O R D E R :

This Criminal Petition has been filed by the petitioners/accused under Section 528 of the BNSS, seeking to quash the proceedings in F.I.R.No.955 of 2026 of Patancheru Police Station, Cyberabad, registered for the offences punishable under Section 318(4) of the Bharatiya Nyaya Sanhita, 2023 (for short, 'the BNS') and Section 7 of the Essential Commodities Act, 1955 (for short, 'the E.C. Act').

2. Heard Mrs. C. Sunitha Kumari, learned counsel for the petitioners, and Mr. Jithender Rao Veeramalla, learned Additional Public Prosecutor for respondent No.1-State. With their consent, the criminal petition is disposed of at the admission stage.

3. Learned counsel for the petitioners submitted that the petitioners have not committed any offence and have been falsely

implicated in the present crime. Even according to the allegations levelled in the complaint, the ingredients of the offences under Section 318(4) of the BNS and Section 7 of the E.C. Act are not attracted against the petitioners on the ground that the alleged seized stock was purchased from the cardholders. She further submitted that the issue raised in the present criminal petition is squarely covered by the order of this Court in CrI.P.No.7227 of 2025 dated 18.06.2026. Hence, the continuation of the proceedings against the petitioners is a clear abuse of the process of law.

4. *Per contra*, learned Public Prosecutor submitted that the petitioners have not placed any iota of material that the seized stock was purchased from the cardholders. Whether the seized stock purchased from the cardholders or any other source, can be revealed during the course of investigation, especially the investigation is under progress. The Investigating Officer has already issued notice under Section 35(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'the BNSS') and the petitioners are entitled to put forth their grievance before the Investigating Officer, on the other hand filed the present criminal petition.

5. This Court considered the rival submissions made by the respective parties and perused of the material available on record. It is the specific case of the petitioners that they purchased the seized

stock, namely 204 Qunitals of Rice, from the cardholders and the same does not come within the ambit of Section 318(4) of the BNS and Section 7 of the E.C. Act. Whereas, it is the specific case of the prosecution that as on today, no material has been placed to establish that the seized stock was purchased from the cardholders. Even according to the prosecution, as the offences levelled against the petitioners are punishable with imprisonment up to seven years, the Investigating Officer has already issued notice under Section 35(3) of the BNSS.

6. In view of the same, the petitioners are entitled to put forth their grievance and also submit the documents, if any, which are in their possession.

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

Miscellaneous applications, pending if any, shall stand closed.

SD/- N.CHANDRA SEKHAR RAO
DEPUTY REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Addl. Junior Civil Judge cum Addl. Judicial Magistrate of First Class, Sangareddy.
2. The Station House Officer, Police Station, Patancheru, Sangareddy District
3. Two CCs to Public Prosecutor, High Court for the State of Telangana at Hyderabad (OUT)
4. One CC to SRI. C VIVEKANAND Advocate [OPUC]
5. Two CD Copies

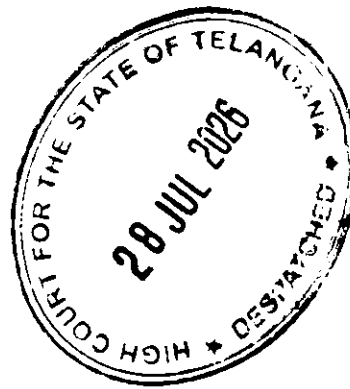

TPK/KA

HIGH COURT

DATED: 20/07/2026

ORDER

CRLP.No.10980 of 2026



CRIMINAL PETITION IS DISPOSED OF

⑧ MT
28/7/26