

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

**MONDAY, THE SEVENTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 13381 OF 2026

Between:

Advocate Jahed Ali, Ibrahim @ Jamed, S/o. Mohd Yakub Ali, Aged about 39 Years, Occ. Practicing Advocate, R/o. H No. 19-5-32/13/A/6/2, Mohamood Nagar, Kishanbagh, Bahadurpura, Hyderabad.

...Petitioners/Accused

AND

1. The State of Telangana, rep. by- its Public Prosecutor, High Court at Hyderabad.

...Respondent

2. Neha Begum, W/o. Mohammed Ibrahim, Aged about 37 Years, Occ. Housewife, R/o. Nizamnagar, Kishanbagh, Hyderabad.

...Respondent/Defacto 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 in FIR No. 226 of 2026, dated 01/08/2026 on the File of the P.S Bahadurpura, Hyderabad, in the interest of justice.

I.A. NO: 2 OF 2026

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 grant stay of all further proceedings in FIR No. 226 of 2026, dated 01.08.2026 on the File of the P.S Bahadurpura, Hyderabad, pending disposal of the main CrI. Petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Ambedkar Dunna, Advocate for the Petitioner and Sri Jithender Rao Veeramalla, learned 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. 13381 of 2026
(CNR No. HBHC010560232026)

DATE: 07.09.2026

Between :

Advocate Jahed Ali, Ibrahim @ Jamed

....Petitioner/Accused

AND

The State of Telangana and another.

...Respondents

: O R D E R :

This criminal petition has been filed by the petitioner/accused seeking to quash the proceedings in F.I.R.No.226 of 2026 of Bahadurpura Police Station, Hyderabad, registered for the offences under Sections 324, 329(3), 79 and 351(2) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. Heard Mr. Dunna Ambedkar, learned counsel for the petitioner, and Mr. Jithender Rao Veeramalla, learned Additional Public Prosecutor appearing for respondent No.1 State. With their consent, the criminal petition is being disposed of at the stage of admission.

3. Learned counsel for the petitioner submitted that the petitioner has not committed any offence and has been falsely implicated in the present crime only on the ground that he filed a suit in O.S.No.1639 of 2025 on behalf of Mohd. Khaja, who is the plaintiff, against respondent No.2 and another seeking cancellation of the registered

gift deed dated 04.02.2017 and consequently declare the registered gift deed dated 30.06.2020 as null and void and not binding on the plaintiff therein and along with the said suit, he filed I.A.No. 654 of 2025 seeking ad interim injunction and the learned XVIII Additional Senior Civil Judge, City Civil Court at Hyderabad, granted ad interim injunction on 10.02.2026. Aggrieved by the said order, respondent No.2 and another filed C.M.A.No. 13 of 2026 and the same is pending before the XXIV Additional Chief Judge, City Civil Court, Hyderabad. Respondent No.2, by making omnibus allegations, implicated the petitioner as an accused only to settle the civil disputes which are pending between her and the plaintiff in O.S.No.1639 of 2025 by giving criminal colour and the same is clear abuse of the process of law.

4. *Per contra*, learned Assistant Public Prosecutor submitted that there are specific allegations levelled against the petitioner in the complaint regarding trespass into the property of respondent No.2 and other allegations. The said allegations *prima facie* attract the ingredients of the offences under Sections 324, 329(3), 79 and 351(2) read with 3(5) of the BNS. Whether the allegations levelled in the complaint are true or not, the same has to be revealed during the course of investigation. However, as the imprisonment prescribed for the offences is less than seven years, the Investigating Officer has already served a notice under Section 35(3) of the BNSS on accused

No.2 and the Investigating Officer will follow the very same procedure in respect of the petitioner. However, the petitioner has been avoiding receiving the notice under Section 35(3) of the BNSS and has not been cooperating with the investigation.

5. Learned counsel for the petitioner, by way of reply, submitted that the petitioner will cooperate with the investigation.

6. Having considered the rival submissions made by the respective parties and upon perusal of the material available on record, it reveals that the offences levelled against the petitioner are punishable with imprisonment of less than seven years. Even according to the learned Additional Public Prosecutor, the Investigating Officer has already served notice under Section 35(3) of the BNSS on accused No.2 and he intends to follow the very same procedure in respect of the petitioner.

7. Hence, the Investigating Officer is directed to issue notice under Section 35(3) of BNSS to the petitioner and follow the guidelines issued by the Apex Court in **Arnesh Kumar Vs. State of Bihar**¹.

8. It is needless to mention that the petitioner is entitled to put forth his grievance upon receipt of the notice under Section 35(3) of

¹(2014) 8 SCC 273

the BNSS and is also entitled to submit the documents, if any, which are in his custody.

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

Miscellaneous applications, pending if any, shall stand closed.

**SD/- P.C.SULEKHA DEVI
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

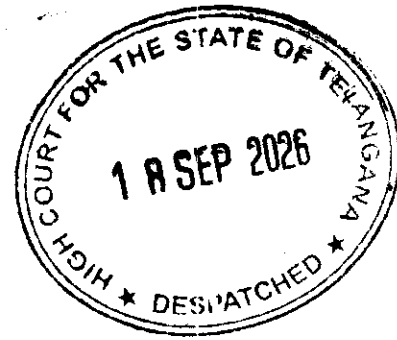
1. The Special Judicial First Class Magistrate For Excise Cases at Gandhi Bhavan, Hyderabad.
2. The Station House Officer, Bahadurpura Police Station. Hyderabad.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
4. One CC to Sri Ambedkar Dunna, Advocate [OPUC]
5. Two CD Copies

GNK/BA



HIGH COURT

DATED: 07/09/2026



ORDER

CRLP.No.13381 of 2026

DISPOSING THE CRIMINAL PETITION

8 Copies
TP
17/09/2026