

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

**MONDAY, THE NINTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY FOUR**

PRESENT

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION NO: 10544 OF 2024

Between:

Ravind Kumar, S/o Chennamallu, Aged about 52 years, Occ Shopkeeper,
Business and R/o. H. No. 1- 4- 27/71/208, Padmashali Colony, Gandhinagar,
Hyderabad 500080.

...Petitioner

AND

The State of Telangana, Rep by the Public Prosecutor, Through P. S.
Musheerabad.

...Respondent/Complainant

Petition under Section 528 of BNSS Act praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to quash the proceedings against the Petitioner in Crime No. 262 of 2024, on the file of P. S. Musheerabad, Hyderabad for the alleged offences U/s. 274, 275 BNS, 20(2) COTPA and consequentially direct the Court below to return the property deposited in connection Crime.No.262 of 2024 in the interest of justice.

I.A. NO: 2 OF 2024

Petition under Section 528 of BNSS Act praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to stay all further proceedings against the Petitioners including appearance of the Petitioners in Crime.No.262 of 2024, on the file of Musheerabad, Hyderabad, pending disposal of the Cri P. in the interest of justice.

I.A. NO: 3 OF 2024

Petition under Section 528 of BNSS Act praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to direct the Respondent to return the property seized in connection with Crime.No.262 of 2024 on the file of P. S. Musheerabad pending disposal of the Cri P in the interest of justice.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Srinivas Reddy Balakisti, Advocate for the Petitioner and Sri Arun Kumar Doddla, Additional Public Prosecutor on behalf of the Respondent.

The Court made the following: ORDER

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.10544 of 2024

ORDER:

The present Criminal Petition is filed under Section 528 Bharatiya Nagarik Suraksha Sanhita (for short 'BNSS') to quash the proceedings against the petitioner/accused in Crime No.262 of 2024 of Musheerabad Police Station, Hyderabad, registered for the offences punishable under Sections 274 and 275 of the Bharatiya Nyaya Sanhita (for short 'BNS') and Section 20 (2) of Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 (for short 'the COTPA Act').

2. Heard Sri Srinivas Reddy Balakisti, learned counsel appearing on behalf of the petitioner as well as Sri D. Arun Kumar, learned Additional Public Prosecutor appearing on behalf of the respondents.

3. Learned counsel for the petitioner submitted that the matter is squarely covered by the order dated 05.07.2021 in Criminal Petition No.152 of 2020 and batch and enclosed a copy of the said order.

4. Learned Additional Public Prosecutor also submitted that the issue in the present criminal petition is covered by the earlier order in the above criminal petition.

5. In view of the said representation and as the matter is squarely covered by the order in the above batch of criminal petitions, this criminal petition is allowed in terms of the above said common order, adopting the reasoning contained therein. The proceedings against the petitioner/accused in Crime No.262 of 2024 of Musheerabad Police Station, Hyderabad, are hereby quashed.

Pending miscellaneous petitions, if any, in this Criminal Petition shall also stand closed.

SD/- V KAVITHA,
ASSISTANT REGISTRAR.

//TRUE COPY//

SECTION OFFICER

To,

1. The XVII Additional Chief Metropolitan Magistrate at Hyderabad
2. The Station House Officer, Musheerabad 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 Srinivas Reddy Balakisti, Advocate [OPUC]
5. Two CD Copies

ADK

PMR

HIGH COURT

DATED:09/09/2024

ORDER

CRLP.No.10544 of 2024



ALLOWING THE CRLP

⑧ pml.
19/10/24.