

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

TUESDAY, THE NINETEENTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SMT JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION NO: 10533 OF 2025

Between:

1. Yash Raj Srivastav, S/o. Sri Prem Narayan, Age. 26 years, Occ. Unemployed, Rio. 20-3-581/1, Tara Maidan, Hussaini Alam, Hyderabad.
2. Leela Devi, W/o. Sri Prem Narayan, Age. 81 years, Occ. Retd. Teacher, R/o. 20-3-581/1, Tara Maidan, Hussaini Alam, Hyderabad

...PETITIONERS/ACCUSED No.2 and 3

AND

1. The State of Telangana, Rep. by it's Public Prosecutor, High Court at Hyderabad. (Through SHO Hussaini Alam P.S)
2. Manish Batnagar, S/o. Sri Ajeeth Kumar Batnagar, Age. 48 years, Occ. Software Engineer, R/o. MIG.38, Dharma Reddy Colony, Behind Vijitha Super Market, JNTU, Kukatpally, 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 C.C.No.6817 of 2020 on the file of the Chief Metropolitan Magistrate at Nampally, Hyderabad, as against the petitioners/A.2 and A.3 herein, in the interest.

I.A. NO: 2 OF 2025

Petition under Section 482 of Cr.P.C 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/A.2 and A.3 in C.C.No. 6817 of 2020 on the file of Hon'ble Chief Metropolitan Magistrate at Nampally, Hyderabad district, pending disposal of this Criminal Petition 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 Mrs. Devineni Radha Rani, Advocate for the Petitioner and Sri Erigi Ganesh, Assistant Public Prosecutor (TG) on behalf of the Respondent No.1 and none appeared for the Respondent No.2.

The Court made the following: ORDER

THE HON'BLE SMT. JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION No.10533 of 2025

ORDER:

1. This Criminal Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioners/accused Nos.2 & 3 seeking to quash the proceedings against them in C.C.No.6817 of 2020, on the file of the learned Chief Metropolitan Magistrate, Nampally, Hyderabad, registered for the offences punishable under Sections 447, 427, 504, 506 read with 34 IPC.
2. Heard Smt.Devineni Radha Rani, learned counsel for the petitioners/accused Nos.2 & 3 and Sri Erigi Ganesh, the learned Assistant Public Prosecutor appearing for the respondent No.1-State.
3. Learned counsel for the petitioners has submitted that the petitioners herein are innocent and have not indulged in any such activity of demolition of compound wall as alleged by the *de facto* complainant and that the land alleged to have been belonging to the *de facto* complainant is actually an Endowment property which belongs to Sri Seeta Ramachandra Swamy Devasthanam and that when the *de facto* complainant is not the owner of the property, he

cannot allege any trespass against the petitioners and therefore prayed to quash the proceedings against them. She further submitted that this is a counter blast case lodged against the petitioners and that the petitioners lodged a complaint before Police when the *de facto* complainant has obstructed the petitioners while they were erecting a gate in their premises.

4. The learned Assistant Public Prosecutor has opposed saying that the averments of the charge sheet as disclosed from the investigation of Police would reveal that the petitioners/accused Nos.2 & 3 had demolished the compound wall of the *de facto* complainant and that the statements of witnesses also reveal the said fact.

5. Perused the record. The allegations point out the offences under Sections 447, 427, 504, 506 read with 34 IPC against the petitioners/accused Nos.2 & 3 herein; C.C.No.6817 of 2020 is pending on the file of the learned Chief Metropolitan Magistrate, Nampally, Hyderabad and the matter pertains to the year 2020.

6. Hence, the Criminal Petition is disposed of directing the Court of Chief Metropolitan Magistrate, Nampally, Hyderabad, to dispose of C.C.No.6817 of 2020 at the earliest. However, the attendance of

the petitioners/accused Nos.2 & 3 is dispensed with before the Trial Court provided that the petitioners/accused Nos.2 & 3 are represented through an Advocate on every date of hearing and that they shall be present before the Trial Court as and when they are specifically required during the course of trial .

7. Miscellaneous petitions pending, if any, shall stand closed.

SD/- C.DEEPIKA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Chief Metropolitan Magistrate at Nampally, Hyderabad
2. The Station House Officer, Hussaini Alam P.S., Hyderabad City
3. One CC to Smt. Devineni Radha Rani, Advocate [OPUC]
4. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT]
5. Two CD Copies

KK/PSL



HIGH COURT

DATED:19/08/2025

ORDER

CRLP.No.10533 of 2025



Disposing of the Criminal Petition

⑧
25/11/25
b.k.