

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

**WEDNESDAY, THE THIRTY FIRST DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SMT JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION NO: 14461 OF 2025

Between:

M/s. Aimlay Private Limited, Having its registered office at 406 and 408 4th Floor, D Mall Plot No 185 Twin District Centre Sector 10, Rithala, North West Delhi, Delhi, India, 110085. Rep. by its Director Mr. Rakesh Gupta, S/o. Madan Lal Gupta, aged 55 years, R/o. H.No. 193, TF, Pocket 4, Sector 24, Rohini, North West Delhi, Delhi 110085.

...PETITIONER/ACCUSED

AND

1. The State of Telangana, Rep. by its Public Prosecutor, High Court of Telangana, at Hyderabad
2. Harikrishna Yakkaluri,, S/o. Venkata Narayana Y, Aged 36 years, Occ not known to petitioner, R/o. H.No. S1, Narne Residency, Plot No. 28, Pragathi Golden Hills, Pragathi Nagar Main Road, Hyderabad, Telangana 500090

...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 FIR/impugned proceedings in FIR No 2481 of 2025 on the file of the Cyber Crime Police Station, Cyberabad

I.A. NO: 3 OF 2025

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 interim stay of all further proceedings in FIR No. 2481 of 2025, on the file of the Cyber Crime Police Station, Cyberabad., including arrest, appearance and attendance of any of the Staff / Management / Employees of the Petitioner Company, pending disposal of the above Criminal petition

I.A. NO: 2 OF 2025

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 direct the Respondent No.1 i.e. Police Authorities to forthwith withdraw, recall, or rectify any adverse communication, intimation, or directive issued by them to the banking institutions which has resulted in the freezing or suspension of the Petitioner Company's bank accounts, and to ensure immediate restoration of the said accounts to normal operational status

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Dr. RAVI KUMAR N, Advocate for the Petitioner and Sri. Jithender Rao Veeramalla the Additional Public Prosecutor (TG) on behalf of the Respondent none appeared for the Respondent No. 2.

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HON'BLE SMT. JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION No.14461 OF 2025

DATE: 31-12-2025

Between:

M/s. Aimlay Private Limited

... Petitioner

And

The State of Telangana,
Rep. by its Public Prosecutor,
High Court of Telangana,
at Hyderabad and another

... Respondents

ORDER:

This Criminal Petition is filed by the petitioner-accused Company seeking to quash the proceedings against it in Crime No.2481 of 2025 of Cyber Crime Police Station, Cyberabad, registered for the offences under Sections 318(4), 319(2), 336(3), 338 and 340(2) read with 3(5) of BNS and Section 66D of Information Technology Act.

2. Heard Dr. N. Ravi Kumar, learned counsel for the petitioner and Sri Jithender Rao Veeramalla, learned Additional Public Prosecutor for respondent No.1-State.

3. Learned counsel for the petitioner submitted that the matter is purely of civil in nature and that respondent No.2-*de facto* complainant is trying to convert the civil proceedings into criminal one through the present complaint. He further submitted that the petitioner-Company is a consultancy Company and the allegations made in the complaint do not attract the offences alleged against the petitioner herein. In fact, the respondent No.2-complainant owes some dues to the petitioner-Company and to avoid the same, a false complaint is lodged against the petitioner herein. He, therefore, prayed to quash the proceedings in the present crime against the petitioner herein.
4. Learned Additional public Prosecutor has submitted that the petitioner being a consultancy has taken amounts from respondent No.2- *de facto* complainant, but failed to provide him with admission into Ph.D. program, as promised by it. Therefore, the petitioner is liable to face the prosecution and that the prosecution could also collect the bank statement to prove the offences alleged against the petitioner. He, therefore, prayed to dismiss the Criminal Petition.
5. Perused the record.

6. The allegations point out that the petitioner runs a consultancy and that respondent No.2-*de facto* complainant, who intended to enroll for a Ph.D. program, contacted the petitioner-Company and the total fee was informed to be around Rs.5,15,600/- and as per their instructions, the respondent No.2 has paid Rs.2,96,219/- towards Ph.D. service amount and Rs.85,572/- towards Scopus Research Paper. Subsequent to the said payment, in spite of repeated requests for over a year, the petitioner failed to provide him with admission confirmation or registration number or any official documents from the University. Again the petitioner-Company has demanded an additional amount of Rs.1,00,000/- and has sent a WhatsApp message asking the *de facto* complainant to attend an examination without any hall-ticket or proper registration details. Then, the *de facto* complainant grew suspicious about the legitimacy of the said process and lodged the complaint. The said allegations *prima facie* point out the offences alleged against the petitioner herein. The record discloses that the prosecution could collect the bank statements to prove the alleged offences against the petitioner herein. The truth or otherwise in the allegations and in the said statements need to be tested during the course of trial. The contention of the petitioner's counsel is that the *de facto*

complainant has to pay amounts to the petitioner and to avoid the same, the *de facto* complainant has come up with the present complaint. The said contention is also a triable issue. The investigation is still in progress. It is not proper to interfere with the investigation process at this stage. Further, though the offences alleged against the petitioner are under Sections 318(4), 319(2), 336(3), 338 and 340(2) of BNS and Section 66D of Information Technology Act, the allegations *prima facie* do not point out any offence with regard to forgery. Once the offence under Section 338 BNS is kept aside, all the other offences are punishable with less than seven years of imprisonment. Thus, in the facts and circumstances of the case, it is opined that the Criminal Petition can be disposed of directing the police to invoke the provisions under Section 35(3) of BNSS against the petitioner herein.

7. Accordingly, the Criminal Petition is disposed of directing the petitioner-Company, represented by its Director, to appear before the Investigating Officer concerned on or before 20.01.2026 between 11:00 AM and 5:00 PM, and in turn, the Investigating Officer is directed to follow the procedure laid down under Section 35(3) of BNSS and the guidelines formulated by

the Hon'ble Apex Court in **Arnesh Kumar v. State of Bihar**¹
scrupulously and complete the investigation strictly in accordance
with law. The petitioner is also directed to co-operate with the
Investigating Officer and to furnish the requisite information and
documents as and when required by him.

Miscellaneous Petitions pending, if any, shall stand closed.

SD/- B.G.VYJAYANTHI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The IX Additional Judicial Magistrate of First class at Kukatpally, Cyberabad.
2. The SHO Cyber Crime Police Station, Cyberabad Commisionerate, Medchal Malkajgiri District.
3. One CC to SRI. Dr. RAVI KUMAR N Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR, High Court for the State of Telangana at Hyderabad [OUT].
5. Two CD Copies

PK/PSI

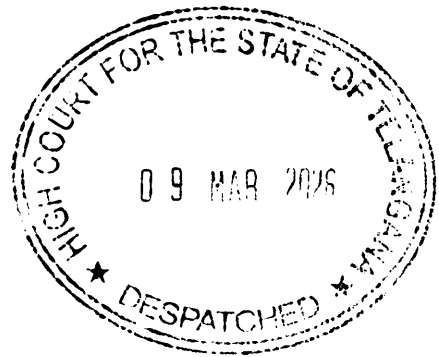


¹ (2014) 8 SCC 273

HIGH COURT

DATED:31/12/2025

CRLP.No.14461 of 2025



CRIMINAL PEITITION IS DISPOSED OF.

⑧
23/02/26
B.N