

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

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.1041 of 2026

DATE: 02.02.2026

BETWEEN:

Rohit Saini

... Petitioner/Accused No.1

And

The State of Telangana,
Afzalgunj, represented by
its Public Prosecutor, High
Court for the State of Telangana. ... Respondent

ORDER

This Criminal Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of pre-arrest bail to the petitioner, who was arrayed as accused No.1 in Crime No.512 of 2025 before the Afzalgunj Police Station, Hyderabad, registered for the offences punishable under Sections 303 (2), 338, 336 (3), 340 (2), 318 (4) BNS and Section 63 of the Copy Right Act, 1957.

2. Heard Sri Dharmesh D.K.Jaiswal, learned counsel for the petitioner and Sri D.Arunkumar, learned Additional Public Prosecutor appearing for the respondent-State.

3. The case of the prosecution is that the on 23.12.2025 at 2100 hours the police received a complaint from

the complainant wherein she requested to register an FIR for trade mark infringement, cheating, forgery and criminal conspiracy in respect of 'SHAKTI' sewing machines. The trademark 'Shakti' used for sewing machines under Class 7 is a registered trademark bearing Registration No.530346, lawfully owned by her and her family members. The accused persons with full knowledge of the said registration, have illegally manufacture, sold and marketed sewing machines using the trademark applications and attempted to falsely claim ownership of the said trademark. The accused persons are unlawfully representing to dealers and customers that the trade mark 'SHAKTI' belongs to them, thereby cheating the public and causing serious financial loss and damage to our goodwill. Hence, the *de facto* complainant requested the police to take necessary action against the accused persons. Basing on the same, the police registered a case for the aforesaid offences.

4. Learned counsel for the petitioner-accused No.1 submits that the *de facto* complainant is the step-mother of the petitioner-accused No.1 and there were several cases pending between the parties. Due to the said allegations, the complainant lodged a false complaint against the petitioner herein. The allegations levelled against the petitioner do not

attract the offence under Section 338 of BNS. Except the offence under Section 338 of BNS all the offences are punishable below seven years. Therefore, custodial interrogation of the petitioner is not required for investigation in this case and requested the Court to grant Anticipatory bail to the petitioner-accused No.1.

5. On the other hand, learned Additional Public Prosecutor opposed the bail and submits that there are serious allegations against the petitioner, which require custodial investigation and requested the Court to dismiss the criminal petition.

6. Considering the submissions made by both the parties and perusal of the material on record, the petitioner herein is shown as accused No.1 and the *de facto* complainant is the step-mother of the petitioner. There are Civil and criminal cases pending between the petitioner and the *de facto* complainant. *Prima facie* as allegations levelled against the petitioner do not constitute the offence under Section 338 of BNS, this Court deems it fit to grant pre-arrest bail to the petitioner, subject to the following conditions:

- (i) The petitioner shall surrender before the Station House Officer, Afzalgunj Police Station, Hyderabad, within two (2) weeks from today, and on such surrender, the petitioner shall be released on bail on executing a personal bond for a sum of

Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties for a like sum each.

(ii) The petitioner shall abide by the other conditions stipulated in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023 and co-operate with the Investigating Officer in investigating the case.

(iii) The petitioner shall appear before the concerned Investigating Officer on every Monday between 09:00 a.m, and 05:00 p.m., or till the filing of the charge sheet, whichever is earlier, and thereafter, as and when required.

7. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 02.02.2026

YVL

