

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

TUESDAY, THE TENTH DAY OF MARCH
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HON'BLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION Nos: 1206 and 1207 OF 2026

Criminal Petition No.1206 of 2026

Between:

1. Ramavath Santhosh Naik, S/o. Ramavath Jentha Naik, Aged about 37 years, Occ. Business, R/o. H.No.6-137, Raghavendra Co-operative Housing Society Ltd., Peddamangalaram Village, Moinabad Mandal, Ranga Reddy District.
2. Pullagulla Gopal, S/o. Pullagulla Yellaiah, Aged about 52 years, Occ. Business, Peddamangalaram Village, Moinabad Mandal, Ranga Reddy District.
3. Nadikuda Mahendar, S/o. Nadikuda Yadaiah, Aged about 43 years, Occ. Business, R/o. Yenkepalle Village, Moinabad Mandal, Ranga Reddy District.

...Petitioners/Accused No.1,6 & 7

AND

1. The State of Telangana, Rep by its Public Prosecutor, High Court, Hyderabad.
Through Police Station, Moinabad, Cyberabad Commissionerate
2. R.Thara Singh Nayak, S/o. R. Kirya Singh Nayak, Aged about 39 years, Occ. Labour, R/o. H.No.3-81, Kothapally Village, Maddur Mandal, Narayanapet District. (Old Mahabubnagar District)

...Respondent/Complainant

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 call for the records to quash the proceedings FIR in Crime.No.49 of 2026, on the file of the Station House Officer, Moinabad Police Station, Ranga Reddy District for the offence U/Sec. 308 (5) 318 (2) 316 (2) 351, 61 r/w. 3 (5) BNS 3 (1)(R) (s) 3 (2) (va) SC and ST (POA) Act.

I.A. NO: 2 OF 2026

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 stay of all further proceedings including not to arrest of the petitioners/Accused No. 1, 6 and 7 in Crime.No.49 of 2026, on the file of the Station House Officer, Moinabad Police Station, Ranga Reddy District for the offence U/Sec. 308 (5) 318 (2) 316 (2) 351, 61 r/w. 3 (5) BNS 3 (1) (R) (s) 3 (2) (va) SC and ST (POA) Act

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Mr. M. Rameshwar Rao, Advocate for the Petitioners and the Mr. Jithender Rao Veeramalla, Assistant Public Prosecutor on behalf of the Respondent No.1 and of Mr. M. Gandyadapur Rajesham, Advocate for the Respondent No.2.

Criminal Petition No.1207 of 2026

Between:

1. A. Harshavardhan Rao @ Allineni Harshavardhan Rao, S/o. Venkateswar Rao, Aged about 35 years, Occ.Business, R/o. H.No.18-59, Flat No.401, Kamala Nagar, Chaitanyapuri, Dilsukhnagar, Hyderabad-500 036.
2. Venkata Rama Satya Hari Kiran kompella, S/o K.S.S Sastry, Aged about 35 years, Occ Business R/o H No Flat No B2815 Elegance Apartments, Gajula Ramaram Hyderabad 500 055.
3. Balla Raghuram Yadav, S/o. Balla Balaiah, Aged about 45 years, Occ. Business, R/o. H.No.1-102, Peddamangalaram village, Moinabad Mandal, Ranga Reddy District.
4. Balla Krishna Yadav, S/o. Balla Balaiah, Aged about 43 years, Occ. Business, R/o. H.No.1-102, Peddamangalaram village, Moinabad Mandal, Ranga Reddy District.

...Petitioners/Accused No.2,3,4 and 5

AND

1. The State of Telangana, Rep by its Public Prosecutor, High Court, Hyderabad.
Through Police Station, Moinabad, Cyberabad Commissionerate
2. R.Thara Singh Nayak, S/o. R. Kirya Singh Nayak, Aged about 39 years, Occ. Labour, R/o. H.No.3-81, Kothapally Village, Maddur Mandal, Narayanapet District. (Old Mahabubnagar District)

...Respondent/Complainant

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 call for the records to quash the proceedings FIR in Crime.No.49 of 2026, on the file of the Station House Officer, Moinabad Police Station, Ranga Reddy District for the offence U/Sec. 308 (5) 318 (2) 316 (2) 351, 61 r/w. 3 (5) BNS 3 (1) ® (s) 3 (2) (va) SC & ST (POA) Act.

I.A. NO: 2 OF 2026

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 of all further proceedings including not to arrest of the petitioners/Accused No. 2, 3, 4 and 5 in Crime.No.49 of 2026, on the file of the Station House Officer, Moinabad Police Station, Ranga Reddy District for the offence U/Sec. 308 (5) 318 (2) 316 (2) 351, 61 r/w. 3 (5) BNS 3 (1) ® (s) 3 (2) (va) SC & ST (POA) Act.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Mr. M. Rameshwar Rao, Advocate for the Petitioners and the Mr. Jithender Rao Veeramalla, Assistant Public Prosecutor on behalf of the Respondent No.1 and of Mr. M. Gandyadapur Rajesham, Advocate for the Respondent No.2.

The Court made the following: COMMON ORDER

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION Nos.1206 AND 1207 of 2026

DATE: 03.03.2026

Between :

Ramavath Santhosh Naik and two others

....Petitioners/Accused Nos.1, 6 & 7
in Crl.P.No.1206 of 2026

A. Harshavardhan Rao @ Allineni Harshavardhan Rao and three
others

....Petitioners/Accused Nos.2 to 5
in Crl.P.No.1207 of 2026

AND

The State of Telangana,
Rep. by its Public Prosecutor,
High Court, Hyderabad,
Through Police Station, Moinabad,
Cyberabad Commissionerate and another.

....Respondents

: COMMON ORDER:

Crl.P.No.1206 of 2026 has been filed by the
petitioners/accused Nos.1, 6 and 7, and Crl.P.No.1207 of 2026 has
been filed by the petitioners/accused Nos.2 to 5 under Section 528 of
the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'the
BNSS'), seeking to quash the proceedings in F.I.R.No.49 of 2026 of
Moinabad Police Station, Cyberabad, registered for the offences
punishable under Sections 308(5), 318(2), 316(2), 351 and 61 read

with 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short, the BNS) and Sections 3(1)(r)(s) and 3(2)(Va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act (for short, 'the SCs/STs Act').

2. Brief facts of the case:

2.1. Respondent No.2 lodged a complaint on 24.01.2026 stating that the accused Nos.1 to 7 collectively approached him and informed him that Plot No.85-E, admeasuring 110 square yards, situated in Survey No.214 of Peddamangalaram Village, was available for sale. Believing their words, he purchased the said plot through AGPA holder Ramavath Santosh Naik/accused No.1 and obtained a registered sale deed dated 18.06.2025 vide Document bearing No.2939 of 2025, after paying a sale consideration of Rs.9,50,000/-. After purchase, he constructed a house on the plot shown to him as Plot No. 85-E. However, in December 2025, the house was demolished by the Moinabad Municipal staff pursuant to orders of the Hon'ble High Court. Upon further enquiry, he discovered that though the sale deed mentioned Survey No. 214, the physical plot shown and delivered to him was actually situated in Survey No. 212, thereby revealing that he had been misled and cheated. It is further alleged that the petitioners formed themselves into a group/syndicate with a fraudulent intention, created a fictitious entity in the name of "Raghavendra Co-operative Housing Society Limited," fabricated non-

existent plots, prepared forged documents, and sold lands not belonging to them by falsely representing them as genuine, thereby unlawfully earning money. In the same manner, they allegedly cheated several other innocent persons. When respondent No.2 demanded refund of his money, the petitioners refused, abused him in the name of his caste, and criminally intimidated him with threats to kill, causing fear and mental harassment. It is also alleged that several criminal cases were previously registered against the petitioners at Moinabad Police Station under various offences, and that they are habitual offenders involved in organized land frauds by executing sale deeds in one survey number while showing possession in another. Hence, the present crime has been registered for the aforementioned offences.

3. Heard Mr. M. Rameshwar Rao, learned counsel for the petitioners, Mr. Gandyadapu Rajesham, learned counsel for respondent No.2 and Mr. Jithender Rao Veeramalla, learned Assistant Public Prosecutor appearing on behalf of respondent No.1-State.

4. Submissions of learned counsel for the petitioners:

4.1. Learned counsel submitted that the petitioners have not committed any offence and they have been falsely implicated in the present crime. Even according to the allegations made in the

complaint, the ingredients of the offences under Sections 308(5), 318(2), 316(2), 351 and 61 read with 3(5) of the BNS and Sections 3(1)(r)(s) and 3(2)(Va) of the SCs/STs Act are not attracted. The nature of the allegations made in the complaint is purely civil as it is pertaining to a property dispute. He further submitted that respondent No.2 had purchased Plot No.85-E, admeasuring 110 square yards, situated in Survey No.214, through AGPA holder Ramavath Santosh Naik/petitioner No.1 and obtained a registered sale deed dated 18.06.2025 vide Document bearing No.2939 of 2025, after paying a sale consideration of Rs.9,50,000/-. Subsequently, respondent No.2 alienated the said property and executed registered sale deed in favour of one Talari Naveen Kumar, *vide* document bearing No.201 of 2026 dated 13.01.2026. Hence, the ingredients of the offences under Sections 308(5), 318(2), 316(2), 351 and 61 of the BNS are not attracted.

4.2. He further submitted that respondent No.2 is not having any semblance of right or interest over the subject property and he is not entitled to lodge the complaint against the petitioners. He further submitted that the petitioners have not forged or fabricated any document. Respondent No.2 after due verification purchased the property from petitioner No.1.

4.3. He also submitted that the police in collusion with land grabbers, tried to grab the entire plots belonging to Raghavendra Cooperative Housing Society Limited by creating fake documents in Sy.Nos.210/2, 211/2 and 212/2 to an extent of Ac.16.00 situated in Peddarnangalaram Village, Moinabad Mandal, Ranga Reddy District. Later, the plot owners of Raghavendra Cooperative Housing Society Limited have filed several writ petitions against the land grabbers i.e., W.P.Nos.2305 of 2025, 32046 of 2025, 32073 of 2025, 32074 of 2025, 31972 of 2025, 32328 of 2025, 40720 of 2025 and 367 of 2026, which are still pending. He also filed C.C.No.96 of 2026. When the said writ petitions are pending, respondent No.2 has lodged the present complaint, though he has no right to file the complaint by virtue of execution of sale deed dated 13.01.2026. Hence, the continuation of the proceedings against the petitioners is a clear abuse of the process of law.

5. Submissions of learned counsel for respondent No.2:

5.1. *Per contra*, learned counsel submitted that the petitioners colluded and formed Raghavendra Cooperative Housing Society Limited, with a dishonest intention and they alienated Plot No.85-E in Sy.No.214 in favour of respondent No.2 and executed a registered sale deed dated 18.06.2025. Later, respondent No.2 discovered that the petitioners have given possession of the plot in Sy.No.212 instead of Sy.No.214. Admittedly, there were no plots available in Sy.No.214.

However, the petitioners sold the various plots to the innocent purchasers and received the amounts by showing the plots in Sy.No.212 with a dishonest intention.

5.2. He further submitted that after purchasing the plot, respondent No.2 constructed a house and the same was demolished by the municipal authorities in the month of December 2025 on the ground that the plot purchased by respondent No.2 falls within Sy.No.212. He further submitted that the petitioners are accused in similar six crimes. Hence, the petitioners are not entitled to seek quashing of the proceedings.

6. Submissions of learned Additional Public Prosecutor:

6.1. Learned Additional Public Prosecutor submitted that the petitioners are not entitled to seek quashing of the proceedings merely on the ground of respondent No.2 lodged a complaint after alienating the property to one Talari Naveen Kumar. He further submitted that there are specific allegations against the petitioners that they with a dishonest intention from the inception, without having any manner of right, by forging the documents, alienated the plots situated in Sy.No.212 to various innocent persons and handed over the possession of plots in Sy.No.214. Whether the allegations made in the complaint are true or not, the same has to be revealed during the course of investigation and the petitioners are not entitled

to seek quashing of the proceedings at this stage, especially the F.I.R. is not an encyclopedia.

Analysis :

7. Having considered the rival submissions made by the respective parties and upon perusal of the material available on record, it reveals that respondent No.2 purchased Plot No.85-E, admeasuring 110 square yards, situated in Survey No.214 of Peddamangalaram Village, through registered sale deed *vide* document bearing No.2939 of 2025 dated 18.06.2025 from petitioner No.1. Subsequently, respondent No.2 alienated the property to Talari Naveen Kumar and executed a sale deed, dated 13.01.2026.

8. The record further reveals that there are specific allegations levelled against the petitioners that they have mentioned Sy.No.214 in the sale deed executed in favour of respondent No.2, but the physical plot was shown and delivered to him was actually situated in Sy.No.212. Further, the petitioners conspired together and with a fraudulent intention, created a fictitious entity in the name of "Raghavendra Co-operative Housing Society Limited", fabricated non-existent plots, prepared forged documents, and sold plots not belonging to them by falsely representing them as genuine, thereby unlawfully earning money. The said allegations *prima facie* falls within the ambit of cheating with dishonest intention and criminal

intimidation and the ingredients of the offences under Sections 318(2), 316(2), 351 and 61 of the BNS are attracted.

9. Insofar as the other offence under Section 308(5) is concerned, it is relevant to extract the said Section, which reads as follows:

“Whoever commits extortion by putting any person in fear of death or of grievous hurt to that person or to any other, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.”

10. In the case on hand, there are no specific allegations that the petitioners have put respondent No.2 under fear of death or grievously hurting him. Hence, this Court is of the *prima facie* view that the ingredients of the offence under Section 308(5) of the BNS are not attracted.

11. Insofar as the allegations levelled against the petitioners pertaining to SCs/STs (POA) is concerned, there are specific allegations levelled against the petitioners that they abused respondent No.2 in the name of his caste. Whether the allegations made in the complaint abusing in the name of the caste are true or not, the same has to be revealed during the course of investigation, especially the investigation is under progress.

12. The contention raised by the learned counsel for the petitioners is that respondent No.2 has no right to lodge the complaint in view of execution of sale deed in favour of Mr. Talari Naveen Kumar is not

tenable under law on the ground that respondent No.2 is a *bonafide* purchaser and mere alienation of the property to the third parties does not bar to lodge the complaint. There are specific allegations levelled in the complaint that the petitioners, with a dishonest intention from the inception, executed the sale deed in favour of respondent No.2 without there being any land/plot in Sy.No.214 and that physical possession of the land in Sy.No.212 was given to respondent No.2.

13. Whether the property purchased by respondent No.2 falls within Sy.No.214 or 212, and whether the petitioners have any rights in respect of the property covered by Sy.No.212, are disputed questions of facts and the same have to be revealed during the course of investigation, especially the investigation is under progress.

14. It is relevant to mention that in **State of Haryana v. Bhajan Lal**, the Hon'ble Supreme Court delineated the limited scope of the High Court's jurisdiction under Article 226 of the Constitution and Section 482 Cr.P.C. to quash criminal proceedings, holding that such power may be exercised only in exceptional cases where the allegations, even if taken at face value, do not disclose any offence, are inherently improbable, legally barred, or manifestly mala fide, while cautioning that the categories so enumerated are illustrative and the power must be exercised sparingly. The said principles were reiterated in **Neeharika Infrastructure (P) Ltd. v. State of**

Maharashtra, wherein it was emphasised that the police have a statutory right and duty to investigate cognizable offences and that Courts should not interdict investigation at the threshold unless no cognizable offence is disclosed on a plain reading of the FIR; the FIR is not expected to be an encyclopaedia of all facts, and criminal proceedings ought not to be scuttled at their nascent stage. In the present case, the allegations made in the complaint *prima facie* attracts the ingredients of the offences under Sections 318(2), 316(2), 351 and 61 read with 3(5) of the BNS and Sections 3(1)(r)(s) and 3(2)(Va) of the SCs/STs Act, and as the investigation is still in progress, the petitioners are not entitled to seek quashing of the proceedings at the threshold.

15. Taking into consideration the peculiar facts and circumstances of the case, especially the nature of the allegations concerning the sale of the property and as the offences levelled against the petitioners under Sections 318(2), 316(2), 351 and 61 read with 3(5) of the BNS and Sections 3(1)(r)(s) and 3(2)(Va) of the SCs/STs Act, are punishable with imprisonment of less than seven years, this Court is of the considered view that the Investigating Officer is directed to scrupulously follow the procedure as contemplated under the provisions of the BNSS and the guidelines issued by the Hon'ble Apex Court in **Arnesh Kumar Vs. State of Bihar**¹ and conclude the

¹ (2014) 8 SCC 273

investigation. The petitioners are directed to cooperate with the Investigating Officer. It is needless to state that the petitioners are entitled to submit explanation/reply as soon as they received the notice from the Investigating officer, by raising all the pleas which are available to them, by enclosing the documents, which are in their possession.

16. With the above directions, the criminal petitions are disposed of.

Miscellaneous applications, pending if any, shall stand closed.

**Sd/- A.V.S.PRASAD
DEPUTY REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The First Additional Junior Civil Judge-cum-XII Additional Judicial Magistrate of First Class, Rangareddy District at Rajendranagar.
2. The Station House Officer, Moinabad Police Station, Cyberabad District.
3. One CC to Mr. M. Rameshwar Rao, Advocate [OPUC]
4. One CC to Mr. M. Gandyadapur Rajesham, Advocate [OPUC]
5. Two CCs to PUBLIC PROSECUTOR High Court for the State of Telangana, at Hyderabad [OUT]
6. Two CD Copies

kam/BA

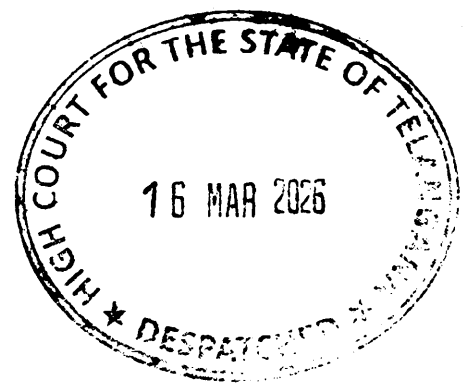
(Signature)

HIGH COURT

DATED: 10/03/2026

COMMON ORDER

CRLP.Nos.1206 and 1207 of 2026



DISPOSING OF THE CRIMINAL PETITIONS

⑨
16/03/26
[Signature]