IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THURSDAY, THE FIRST DAY OF OCTOBER
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SMT JUSTICE JUVVADI SRIDEVI

CRIMINAL PETITION NO: 5134 OF 2026

Between:

1. M/s. Srilakshmi Construction, Rep. by its Managing Partner C. Bhaskar Reddy, Office at H. No. 8-7-38/1, 3rd Floor, Lakshmi Nilayam, Raja Rajeshwari Nagar, Old Bowenpally Secunderabad.
2. C. Bhaskar Reddy, S/o. C. Ranga Reddy, Aged Major, Occ: Managing Partner, R/o. 8-7-38/1, RR Nagar, Old Bowenpally, Hyderabad.
3. C. Vijaya Reddy, S/o. C. Ranga Reddy, Aged major, Occ: partner, R/o. 8-7-38/1, RR Nagar, Old Bowenpally, Hyderabad

...PETITIONERS/ACCUSED No. 1 TO 3

AND

1. The State of Telangana, Represented by the Public Prosecutor, High Court of Telangana, Hyderabad

...RESPONDENT/RESPONDENT

2. Atigadda Shankaramma, W/o. Late A. Rava Reddy, Aged 58 years, Occ: House wife, R/o. B-4, Dews vine, M.S. Royal Function Hall Road, Manchirevula (v), Gandipet Mandal, R.R District, Hyderabad -89

...RESPONDENT NO. 2/DE-FACTO 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 allow the present criminal petition, set aside common order dated 20.02.2026 in Crl. M.P No. 2590 & 2591 of 2025 in C.C. N.I. No. 327 of 2023 on the file of the VIII Judicial Magistrate of First Class, Manoranjan Complex, Hyderabad and recall PW1 for further cross-examination in the above C.C. N.I. No.327 of 2023.

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 all further proceedings in C.C. N.I. No.327 of 2023 on the file of the VIII Judicial Magistrate of First Class. Manoranjan Complex, Hyderabad.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri P Srujan, Counsel representing Sri T Bala Mohan Reddy, Advocate for the Petitioners and Sri M Vivekananda Reddy, the Assistant Public Prosecutor on behalf of the Respondent No. 1 and of Sri Gudi Satyanarayana, Advocate 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 JUVVADI SRIDEVI

CRIMINAL PETITION No.5134 of 2026
(C.N.R.No.HBHC010212762026)

01 OCTOBER, 2026

Between:

M/s. Srilakshmi Construction and 2 others ... Petitioners

AND

The State of Telangana and another ...Respondents

: O R D E R :

Challenging the order, dated 20.02.2026 passed in Crl.M.P.Nos.2590 and 2591 of 2025 in C.C.N.I.No.327 of 2023 by the learned VIII Judicial Magistrate of First Class, Manoranjan Complex, Hyderabad (for short, 'trial Court'), this criminal petition is filed. By the impugned order, the applications filed by the petitioners under Section 311 Cr.P.C. seeking to reopen the evidence and recall PW1 for further cross-examination, were dismissed.

2. Heard Mr. P.Srujan, learned counsel representing Mr. T.Bala Mohan Reddy, learned counsel for the petitioners-accused Nos.1 to 3, Mr. Gudi Satyanarayana, learned counsel for respondent No.2-*de facto* complainant and Mr. M.Vivekananda Reddy, learned

Assistant Public Prosecutor for the State-respondent No.1. Perused the material on record.

3. Case of the petitioners is that C.C.N.I.No.327 of 2023 was filed against them for the offence under Section 138 of the Negotiable Instruments Act, 1881. During the course of evidence, PW1 was cross examined on 31.01.2025 and since respondent No.2-complainant reported no further evidence, the evidence was closed and matter was posted for examination of the accused under Section 313 of Cr.P.C. Further case of the petitioners is that since their counsel in the trial Court has left out some important questions and suggestions with regard to exhibits during the cross examination of PW1, they have filed applications seeking to reopen the evidence and recall PW1, but the same were dismissed by the trial Court on 20.02.2026. Challenging the same. the present criminal petition is filed by the petitioners-accused Nos.1 to 3.

4. Learned counsel for the petitioners submits that as per Section 311 of Cr.P.C., Court may at any stage of proceedings can re-summon any person, if his/her evidence appears to be essential for just decision in the case. Hence, prayed to allow the petition.

5. On the other hand, learned counsel for respondent No.2 opposed for the same.

6. Having regard to the facts and circumstances of the case and considering the submissions made by the learned counsel for the petitioners, for proper adjudication of the matter and to give one more opportunity to the petitioners, this Court is inclined to allow the Criminal Petition by setting aside the impugned order, dated 20.02.2026. The trial Court is directed to issue summons to PW1 by fixing a date and the learned counsel appearing for the petitioners/accused in the trial Court is directed to cross examine PW1 on the date specified by the trial Court, in default, his evidence stands closed.

7. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall also stand closed.

SD/- P.C. SULEKHA DEVI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

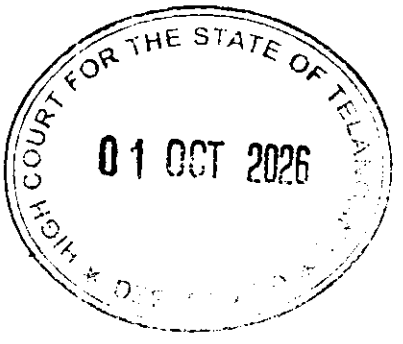
1. The VIII Judicial Magistrate of First Class, Manoranjan Complex, Hyderabad
2. Two CCs to Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
3. One CC to Sri T Bala Mohan Reddy, Advocate [OPUC]
4. One CC to Sri Gudi Satyanarayana, Advocate [OPUC]
5. Two CD Copies

HIGH COURT

DATED: 01/10/2026

ORDER

CRLP.No.5134 of 2026



ALLOWING THE CRIMINAL PETITION

