IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THURSDAY, THE SIXTEENTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HON'BLE SRI JUSTICE J.SREENIVAS RAO

CRIMINAL PETITION Nos: 5667 and 5659 of 2026

Criminal Petition No.5667 of 2026

Between:

Galipelli Sathish, S/o Late Janardhan, Aged about 38 years, Occ: Software, R/o H.No.1-6-89, Boyawada, Karimnagar Town and District.

...Petitioner/A1

AND

1. The State of Telangana, Rep by its Public Prosecutor, High Court for the State of Telangana Hyderabad.
2. Samala @ Galipelli Shruthi, W/o Galipelli Sathish, Aged about 32 years, Occ: Pvt. Employee, R/o H.No.8-4-248/1, Ganeshnagar, Karimnagar Town and District.

...Respondents/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 in connection with FIR No.29 of 2026 pending on the file of Karimnagar Women Police Station, Karimnagar District and quash the same.

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 including arrest of the Petitioner/A-1 in connection with FIR No.29 of 2026 pending on the file of Karimnagar Women Police Station, Karimnagar District, pending disposal of the present quash petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Mr. Y. Bala Murali, Advocate for the Petitioner and Mr. Jithender Rao Veeramalla, Additional Public Prosecutor on behalf of the Respondent No.1

Criminal Petition No.5659 of 2026

Between:

1. Galipelli Santosh, S/o Late Janardhan, Aged about 49 years, Occ: Pvt. Employee, R/o H.No.1-6-89, Boyawada, Karimnagar Town and District.
2. Swargam Vijayalaxmi, W/o Saikiran Swargam, Aged about 47 years, Occ: Housewife, R/o 2-10-1027, Jyothinagar, Karimnagar - 505 001.
3. Swargam Saikiran, S/o Laxmi Narayana, Aged about 50 years, Occ: Pvt. Employee, R/o 2-10-1027, Jyothinagar, Karimnagar -505 001.
4. Chinthakindi Umadevi, W/o Swargam Narender, Aged about 48 years, Occ: Housewife, R/o 2-10-1027, Jyothinagar, Karimnagar -505 001.
5. Swargam Narendar, S/o Swargam Lakshmi Narayana, Aged about 54 years, Occ: Pvt. Employee, R/o 2-10-1027, Jyothinagar, Karimnagar - 505 001.

...Petitioners/A-2 to A-6

AND

1. The State of Telangana, Rep by its Public Prosecutor, High Court for the State of Telangana Hyderabad.
2. Samala @ Galipelli Shruthi, W/o Galipelli Sathish, Aged about 32 years, Occ: Pvt. Employee, R/o H.No.8-4-248/1, Ganeshnagar, Karimnagar Town and District.

...Respondents/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 in connection with FIR No.29 of 2026 pending on the file of Karimnagar Women Police Station, Karimnagar District and quash the same in so far as petitioners/A-2 to A-6 are concerned.

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 including arrest of the petitioners/A-2 to A-6 in connection with FIR No.29 of 2026 pending on the file of Karimnagar Women Police Station, Karimnagar District, pending disposal of the present quash petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Mr. Y. Bala Murali, Advocate for the Petitioners and Mr. Jithender Rao Veeramalla, Additional Public Prosecutor on behalf of the Respondent No.1

The Court made the following: COMMON ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HONOURABLE SRI JUSTICE J.SREENIVAS RAO

CRIMINAL PETITION No.5667 and 5659 of 2026

Date: 16.04.2026

CRIMINAL PETITION No.5667 of 2026

Between:

Galipelli Sathish

...Petitioner/accused No.1

AND

The State of Telangana and another

...Respondents

CRIMINAL PETITION No.5659 of 2026

Between:

Galipelli Santosh and four others

...Petitioners/accused Nos.2 to 6

AND

The State of Telangana and another

...Respondents

COMMON ORDER

These Criminal Petitions have been filed seeking to quash the proceedings in Crime No.29 of 2026 of Karimnagar Women

Police Station, Karimnagar, wherein the petitioners were arrayed as accused Nos.1 to 6 for the offences punishable under Sections 85, and 351(2) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short, 'BNS') and Section 4 of the Dowry Prohibition Act, 1961, (for short, 'DP Act').

2. Heard Mr. Y. Bala Murali, learned counsel for the petitioners and Mr.Jithender Rao Veeramalla, learned Additional Public Prosecutor for respondent No.1.

3. With their consent, the criminal petition is disposed of at the stage of admission.

4. Learned counsel for the petitioners submits that the petitioners have not committed the alleged offences and have been falsely implicated in the present case. Even according to the allegations made in the complaint, the ingredients of the offences under Sections 85 and 351(2) read with 3(5) of the BNS and Section 4 of the DP Act are not attracted against the petitioners. Respondent No.2 herself left the matrimonial house of the petitioner/accused No.1 and filed the present complaint by making

omnibus allegations. He further submitted that petitioners/accused Nos.2 to 6 were implicated in the present complaint only on the ground that they are the family members of accused No.1. The offences levelled against the petitioners are punishable with imprisonment of less than seven years. The Investigating Officer, without following the mandatory procedure prescribed under Section 35(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') and without following the guidelines formulated by the Hon'ble Supreme Court in ***Arnesh Kumar Vs. State of Bihar***[1], is proceeding further in the matter and the same is contrary to law.

5. *Per contra*, learned Additional Public Prosecutor submitted that there are specific allegations levelled against the petitioners about demanding of dowry and harassment and the petitioners are not entitled to seek quashing of the proceedings at threshold and the investigation is under progress. He further submitted that the offences levelled against the petitioners are punishable with imprisonment of less than seven years, and the Investigating Officer will follow the due procedure as contemplated under

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[1](2014) 8 SCC 273

Section 35(3) of the BNSS, by issuing notice to the petitioners. However, the petitioners are avoiding to receive the same and not co-operating with the investigation and the investigation is still under progress.

6. Learned counsel for the petitioners by way of reply submitted that the petitioners will appear before the Investigating Officer on or before 28.04.2026 and submit their reply/explanation along with relevant documents to the Investigating Officer.

7. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that the offences levelled against the petitioners are punishable with imprisonment of less than seven years. Even according to the learned Additional Public Prosecutor, the Investigating Officer will follow the procedure contemplated under Section 35(3) of the BNSS and also the guidelines formulated by the Apex Court in ***Arnesh Kumar*** (supra).

8. In view of the above, the petitioners are directed to appear before the Investigating Officer on or before 28.04.2026 and the

Investigating Officer is directed to follow the procedure contemplated under the provisions of the BNSS, 2023.

9. Accordingly, these Criminal Petitions are disposed of.

Miscellaneous applications, pending if any, shall stand closed.

SD/- L.VIJAYA LAXMI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Station House Officer, Karimnagar Women Police Station, Karimnagar District.
2. One CC to Mr. Y. Bala Murali, Advocate [OPUC]
3. Samala @ Galipelli Shruthi, W/o Galipelli Sathish, R/o H.No.8-4-248/1, Ganeshnagar, Karimnagar Town and District. **(BY SPAD)**
4. Two CCs to Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
5. Two CD Copies

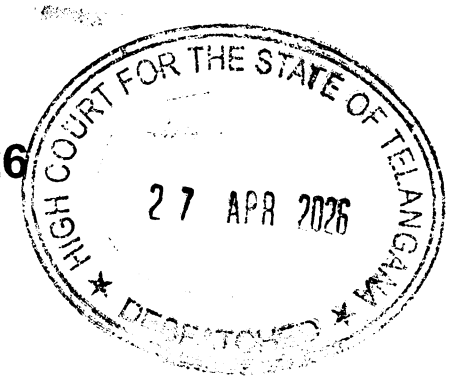
KAM/KA

HIGH COURT

DATED: 16/04/2026

COMMON ORDER

CRLP.Nos.5667 and 5659 of 2026



DISPOSING OF THESE CRIMINAL PETITIONS