IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

TUESDAY, THE TWENTY EIGHTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRLP.Nos.6134 AND 6089 OF 2026

CRLP NO: 6134 OF 2026

Between:

1. Smt. Purra Mangamma W/o. Purra Sathaiah, Aged 53 years, Occ. Housewife,.
2. Purra Ganesh S/o. Purra Sathaiah, Aged 32 years, Occ. Business,

Both are R/o. H. No.2-65, Indrakaran Village, Kandi Mandal, Sangareddy District.

...PETITIONERS/ACCUSED Nos. 1 & 2.

AND

1. The State of Telangana,, Rep. by its Public Prosecutor, High Court at Hyderabad
2. Riyazar Rahman S/o Mohammed Khaleef Rahman, Aged about 48 years, Occ. Business, R/o Plot No. 9, Rahman Mansion, Amar Jyothi Colony, New Bowenpally, Secunderabad - 500011.

...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 Quash the FIR registered against the Petitioners/Accused Nos 1 & 2 in Crime. No. 08 of 2025, Dt. 22-01-2025 on the file of Police Station Indrakaran, Sangareddy District for the offence Under Sec. 420, 470, 406, r/w.34 of I.P.C.

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/Accused Nos 1 & 2 in Crime. No. 08 of 2025, Dt. 22-01-2025 on the file of Police Station Indrakaran, Sangareddy District pending disposal of the Quash Proceedings.

CRLP NO: 6089 OF 2026

Between:

K. Ganesh Kumar S/o. K. Mallaiah, Aged 53 years, Occ. Business, R/o. H. No. 1-8-31, Seetharampuram, Bownpalli, Secunderabad

...PETITIONER/ACCUSED No. 4

AND

1. The State of Telangana,, Rep. by its Public Prosecutor, High Court at Hyderabad.
2. Riyazar Rahman S/o Mohammed Khaleef Rahman, Aged about 48 years, Occ. Business, R/o Plot No. 9, Rahman Mansion, Amar Jyothi Colony, New Bowenpally. Secunderabad 500011.

...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 quash the FIR registered against the Petitioner/Accused No 4 in FIR. No. 08 of 2025, Dt. 22-01-2025 on the file of Police Station Indrakaran, Sangareddy Dist for the offence Under Sc 420, 470, 406 r/w 34 of IPC.

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/Accused No 4 in Crime in FIR. No. 08 of 2025. Dt. 22-01-2025 on the file of Police Station Indrakaran, Sangareddy Dist, pending disposal of the quash proceedings

These Petitions coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Palle Sriharinath, Advocate for the Petitioners and Sri 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 Nos.6134 and 6089 of 2026

Date: 28.04.2026

Between:

Smt. Purra Mangamma and another

...Petitioners in Crl.P. No.6134 of 2026/
Accused Nos.1 and 2

K.Ganesh Kumar

....Petitioner/Accused No.4

AND

The State of Telangana and another.

...Respondents

Common Order:

Criminal Petition No.6134 of 2026 has been filed by the petitioners/accused Nos.1 and 2 and Criminal petition No.6089 of 2026 has been filed by the petitioner/accused No.4, seeking to quash the proceedings in Crime No.8 of 2025 of Indrakaran Police Station, Sangareddy District, registered for the offences punishable under Sections 420, 470 and 406 r/w 34 of the Indian Penal Code, 1860 (for short 'the IPC').

2. Heard Mr. Palle Sriharinath, learned counsel for the petitioners, and Mr. Jithender Rao Veeramalla, learned Additional Public Prosecutor, appearing for respondent No.1. With their

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

3. Learned counsel for the petitioners submitted that the petitioners have not committed any offence and they were falsely implicated in the present crime. Even according to the allegations made in the complaint, the nature of allegations are purely civil in nature, especially, accused No.1 had executed the sale deed in favour of the *de-facto* complainant on 12.11.2020 and delivered the physical possession of the property. Respondent No.2 filed the present complaint on 22.01.2025 alleging that the petitioners are not cooperating for mortgaging and dimensions for fencing. He further submitted that accused No.4 is only a mediator. Hence, the ingredients of the offences under Sections 420, 470 and 406 r/w 34 of the IPC are not attracted against the petitioners. He further submitted that the offences levelled against the petitioners are punishable with imprisonment of less than seven years. However, the Investigating Officer, without following the mandatory procedure prescribed under Section 41-A of Cr.P.C. and the guidelines issued by the Apex Court in **Arnesh Kumar Vs. State of Bihar**[1], is proceeding with the investigation and the same is contrary to law.

4. Learned Additional Public Prosecutor submitted that there are specific allegations levelled against the petitioners to attract the

[1](2014) 8 SCC 273

offences levelled against them. Whether the allegations levelled in the complaint are true or not, has to be revealed during the course of investigation. Hence, the petitioners are not entitled to seek for quashing the proceedings. However, since the offences levelled against the petitioners are punishable with imprisonment below seven years, the Investigating Officer wants to follow the due procedure as contemplated under Section 41-A of Cr.P.C. and the guidelines issued by the Hon'ble Apex Court in **Arnesh Kumar** (*supra*), and requested this Court to direct the petitioners to cooperate with the investigation.

5. Learned counsel for the petitioners by way of reply submitted that the petitioners will cooperate with the investigation and they will appear before the Investigating Officer and receive the notice.

6. Having considered the rival submissions made by the respective parties and upon perusal of the material available on record, it reveals that the offences levelled against petitioners/accused Nos.1, 2 and 4 are punishable with imprisonment of less than seven years. Even according to the learned Additional Public Prosecutor, the Investigating Officer will follow the due procedure as contemplated under Section 41-A of Cr.P.C. and the guidelines issued by the Hon'ble Apex Court in **Arnesh Kumar** (*supra*). In view of the same, petitioners are directed to appear before the Investigating Officer on or before 06.05.2026

and on such appearance, the Investigating Officer is directed to scrupulously follow the procedure as contemplated under Section 41-A of Cr.P.C. and the guidelines issued by the Hon'ble Apex Court in ***Arnesh Kumar*** *(supra)* and conclude the investigation. It is made clear that the petitioners are entitled to put forth their grievances before the Investigating officer as soon as they received the notice.

7. With the above directions, both the Criminal Petitions are disposed of.

Miscellaneous applications, pending if any, shall stand closed.

SD/- M JAWAHAR REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

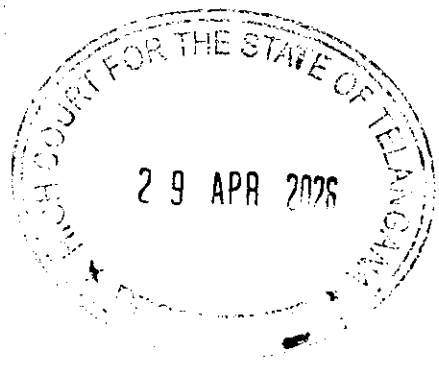
To,

1. The Additional Judicial First Class Magistrate at Sangareddy
2. The Station House Officer, Indrakaran Police Station, Sangareddy Distric
3. Two CCs to Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
4. One CC to Sri Palle Sriharinath, Advocate [OPUC]
5. Two CD Copies

VH/ABK

HIGH COURT

DATED: 28/04/2026



COMMON ORDER

CRLP.Nos.6134 AND 6089 OF 2026

DISPOSING OF THE

CRIMINAL PETITION

SMT
29/4/26