

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

**TUESDAY, THE SIXTH DAY OF JANUARY
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 7206 OF 2020

Between:

Shaik Amar, S/o Late Khaja Pasha Aged about 52 years, Occ. Business R/o
H.No. 24-5-99, Fathimanagar Darga Kazipet, Warangal Urban district.

...Petitioner/Accused No.6

AND

1. The State of Telangana rep by its Public Prosecutor Through Police Station
WPS, Warangal City High Court of Judicature of Telangana at Hyderabad.
2. Banoth @ Angothu Vanaja, W/o Keval Ram Aged about 35 years, Occ.
Housewife R/o H.No. 24-5-109, Fathima Nagar Kazipet, Warangal Urban
District.

...Respondents

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 quash the C.C.No.3541 of 2019 on the file of the V Additional Judicial
First Class Magistrate at Warangal against the petitioner/ Accused No.6 in the
interest of justice.

I.A. NO: 1 OF 2020

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 appearance of the petitioner/
Accused No.6 in C.C.No. 3541 of 2019 on the file of the V Additional Judicial First
Class Magistrate at Warangal pending disposal of the petition in the interest of
justice.

This Petition coming on for hearing, upon perusing the Memorandum of
Grounds of Criminal Petition and upon hearing the arguments of MS. N Kamala
,Advocate for the Petitioner and Sri M Vivekananda Reddy, Assistant Public
Prosecutor on behalf of the Respondent No.1 and of Sri V Aditya representing Sri
V Hanumantha Rao, Advocate for the Respondent No.2.

The Court made the following: ORDER

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

THE HONOURABLE SRI JUSTICE J.SREENIVAS RAO

CRIMINAL PETITION No.7206 of 2020

Date:06.01.2026

Between:
Shaik Amar.

...Petitioner/Accused No.6

AND

The State of Telangana,
represented by its Public
Prosecutor, through Police
Station WPS, Warangal City,
High Court of Judicature of
Telangana at Hyderabad and
another.

..Respondents.

ORDER

This Criminal Petition has been filed seeking to quash the proceedings in C.C.No.3541 of 2019 on the file of learned V Additional Judicial First Class Magistrate at Warangal, wherein the petitioner was arrayed as accused No.6 for the offence punishable under Section 506 of the Indian Penal Code, 1860 (for short 'IPC').

2. Heard Ms.N.Kamala, learned counsel for the petitioner and Mr.V.Aditya, learned counsel, representing Mr.M.V.Hanumantha Rao, learned counsel for respondent No.2, and Mr..M.Vivekananda Reddy, learned Assistant Public Prosecutor appearing for the respondent No.1/State.

3. Learned counsel for the petitioner submitted that the petitioner has not committed the alleged offence and he was falsely implicated in the present case only on the ground that he is close friend of the accused No.1. He further submitted that there are no allegations muchless specific allegations against the petitioner to attract the ingredients for the offence under Section 506 of the IPC. The entire allegations are levelled against accused Nos.1 to 5 only. Hence, continuation of the proceedings against the petitioner is a clear abuse of the process of law.

4. *Per Contra*, learned counsel for respondent No.2, submitted that there are specific allegations levelled against the petitioner, that he and accused Nos.1 to 5 harassed respondent No.2 and also there is specific allegation made by respondent No.2 is that accused Nos.1 to 5 with the assistance of the petitioner herein threaten to kill her.

Hence, the ingredients of the offence under Section 506 of the IPC are attracted against the petitioner. Whether the petitioner has committed the offence or not, the same has to be revealed after full-fledged trial before the trial Court. Basing on the grounds raised by the learned counsel for the petitioner, the petitioner is not entitled to seek quashing of the proceedings. Hence, the Criminal Petition is liable to be dismissed.

5. Learned Assistant Public Prosecutor also reiterated the submissions made by the learned counsel for respondent No.2.

6. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that basing on the complaint lodged by respondent No.2 Crime No.142 of 2019 was registered against accused Nos.1 to 6 and the Investigation Officer after recording the statements of the witnesses filed final report on 28.10.2019 and the learned Magistrate has taken cognizance for the offences under Sections 498A and 506 of the IPC and Sections 3 and 4 of Dowry Prohibition Act, 1961 (for short 'DP Act') against accused Nos.1 to 5 and

also taken cognizance for the offence under Section 506 of the IPC against the petitioner/accused No.6.

7. Upon perusal of the complaint as well as the final report, it is revealed that there are no specific allegations are levelled against the petitioner and the only allegation made against the petitioner is that accused Nos.1 to 5 are threatening to kill her with the assistance of the accused No.6 and he along with other accused stated that the respondent No.2 is not having good character. The entire allegations about the demand of additional dowry and harassment against other accused and the petitioner is not a family member and he is friend of accused No.1. The allegations made in the complaint as well as final report the ingredients for the offence under Section 506 of the IPC is not attracted against the petitioner.

8. It is pertinent to mention that in ***State of Haryana Vs. Bhajan Lal***¹, the Hon'ble Apex Court, after reviewing the relevant provisions of the Cr.P.C and earlier precedents on the exercise of inherent powers under Section 482 Cr.P.C and extraordinary jurisdiction under Article 226, identified illustrative categories of cases in which courts

¹ (1992) 1 SCC 335

may justifiably intervene to prevent abuse of process or to secure the ends of justice. These include situations where:

- (i) Even accepting the FIR or complaint at face value, no offence is disclosed;
- (ii) The FIR and accompanying material do not reveal a cognizable offence warranting police investigation;
- (iii) Uncontroverted allegations and supporting material fail to establish any offence;
- (iv) The allegations disclose only a non cognizable offence, attracting the bar under Section 155(2) Cr.P.C;
- (v) The accusations are absurd or inherently improbable; (vi) there exists a legal bar to the proceedings or an efficacious statutory remedy is available; and
- (vii) The proceedings are tainted with mala fides or instituted maliciously to wreak vengeance or settle personal scores.

9. It is also relevant to mention that in ***Meddam Jhansi v. State of Telangana***², the Hon'ble Apex Court held that in offences under Sections 498-A, 506 IPC Sections 3 and 4 of the Dowry Prohibition Act, 1961, implicating distant relatives of her husband by making omnibus allegations, without any specific overt acts, resting merely on hearsay evidence; continuance of the proceedings is abuse of the process of law.

² 2025 SCC OnLine SC 263

10. For the foregoing reasons as well as the principles laid down by the Hon'ble Apex Court in ***Bhajan Lal and Jhansi Supra***, this Court is of the considered view that it is a fit case to invoke the jurisdiction under Section 482 of Cr.P.C. to quash the proceedings against the petitioner. In the result, the criminal petition is allowed. The proceedings against the petitioner/accused No.6 in C.C.No.3541 of 2019, on the file of V Additional Judicial First Class Magistrate at Warangal, are hereby quashed.

Pending miscellaneous applications, if any, shall stand closed.

SD/- S. MALLIKARJUNA RAO
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The V Additional Judicial First Class Magistrate at Warangal
2. The Station House Officer, WPS 1 , Warangal
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad (OUT)
4. One CC to MS. N KAMALA, Advocate [OPUC]
5. Two CD Copies

ADK/PSL

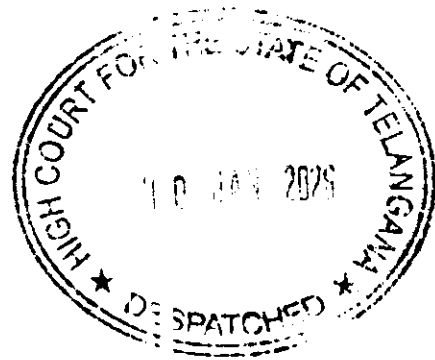
Jks

HIGH COURT

DATED:06/01/2026

ORDER

CRLP.No.7206 of 2020



ALLOWING THE CRLP

⑧ - JKS
30/1/26