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 SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 13233 OF 2026

Between:

Quazi Mohammed Akbaruddin @ Quazi Mohammed Akramuddin, S/o. Mohammed Nizamuddin, Aged about 83 years, Occ. Anesthesia, Ro. H. No. 10-3-15/5, Mehdipatnam, Hyderabad.

...Petitioner/A2

AND

1. The State of Telangana, Represented by Public Prosecutor. High Court for the State of Telangana. High Court Building. Hyderabad.
2. The Station House Officer, Bahadurpura Police Station, Hyderabad.

...Respondents No.1 & 2/The State

3. Mohd. Osman, S/o. Mohd. Suleman, Aged about 40 years, Occ. Farmer, R/o. H. No. 10-77, Kaverammapeta Village, Jadcherla Mandal of Mahabubnagar District.

...Respondent No.3/De facto Complainant

Petition under Section 528 of B.N.S.S. praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to quash the proceedings against the petitioner/A-2 in C.C. No. 308 of 2023 on the Special Judge, First Class Magistrate for Excise Cases at Gandhi Bhavan, Hyderabad.

I.A. NO: 1 OF 2026

Petition under Section 528 of B.N.S.S. 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. No. 308 of 2023 on the file of Special Judge. First Class Magistrate for Excise Cases at Gandhi Bhavan, Hyderabad.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Zakir Ali Danish, Advocate for the Petitioner and Sri Jithender Rao Veeramalla, learned Additional Public Prosecutor on behalf of the Respondent Nos. 1 & 2 and of Sri Mohammed Abdul Rahman, Advocate for the Respondent No.3.

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.13233 of 2026
(CNR No. HBHC010548232026)

Date: 01.10.2026

Between:
Quazi Mohammed Akbaruddin
@ Quazi Mohammed Akramuddin

...Petitioner/Accused No.2

AND

The State of Telangana and two others

...Respondents

ORDER:

This Criminal Petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'the BNSS') by the petitioner/accused No.2 seeking to quash the proceedings in C.C. No.308 of 2023 on the file of the Special Judicial First Class Magistrate for Excise Cases at Gandhi Bhavan, Hyderabad, for the offence punishable under Section 304-A of the Indian Penal Code, 1860 (for short 'the IPC').

2. Heard Mr. Zakir Ali Danish, learned counsel for the petitioner, Mr.Mohammed Abdul Rahman, learned counsel for respondent No.3,

and Mr.Jithendar Rao Veeramalla, learned Additional Public Prosecutor for respondent Nos.1 and 2.

3. Learned counsel for the petitioner submits that the petitioner has not committed any offence and has been falsely implicated in the present case. However, at the instance of elders and well-wishers, the parties entered into a Memorandum of Understanding (MOU) dated 24.11.2025. Pursuant to the said MOU, respondent No.3 agreed to withdraw the case and quash the proceedings in C.C.No.308 of 2023. He further submitted that accused No.1 approached this Court by filing Crl.P.No.338 of 2024, seeking quashing of the proceedings in C.C.No.308 of 2023. In the said proceedings, accused No.1 and respondent No.3 in Crl.P.No.338 of 2024, on the basis of the compromise entered into between them, compounded the offence, and this Court consequently quashed the proceedings against accused No.1 in C.C.No.308 of 2023.

4. He further submitted that respondent No.3 and accused No.1, without informing the petitioner, approached this Court and filed Crl.P.No.338 of 2024 behind the back of the petitioner. Respondent No.3 is also not coming forward to withdraw all the cases pending against the petitioner and is intentionally seeking to continue the proceedings against him. He also submitted that, in view of the offence having been

compounded in C.C.No.308 of 2023 between accused No.1 and respondent No.3, respondent No.3 is not entitled to continue the proceedings against the petitioner in the present C.C. Hence, the continuation of the proceedings against the petitioner is a clear abuse of process of law and is contrary to the principles laid down by the Hon'ble Apex Court in **Gian Singh v. State of Punjab and another**[1] and **Anil Mishra v. State of U.P.**[2] and **State of Madhya Pradesh v. Laxmi Narayan and others**[3].

5. Learned Additional Public Prosecutor appearing for respondent Nos.1 and 2, and the learned counsel appearing for respondent No.3, have not disputed the submissions made by the learned counsel for the petitioner.

6. In view of the submissions made by the learned counsel for the petitioner and in view of the compromise entered into between the respondent No.3 and accused No.1 in Criminal Petition No.338 of 2024, the proceedings against the petitioner in C.C. No.308 of 2023 on the file of the Special Judicial First Class Magistrate for Excise Cases at Gandhi Bhavan, Hyderabad, are hereby quashed.

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[1] 2012 (10) SCC 303
[2] 2024 INSC 189
[3] 2019 (5) SCC 688

7. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

SD/-C. DEEPIKA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Special Judge, First Class Magistrate for Excise Cases at Gandhi Bhavan, Hyderabad..
2. The Station House officer, Bahadurpura Police Station, Hyderabad.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
4. One CC to Sri. Zakir Ali Danish, Advocate [OPUC]
5. One CC to Sri Mohammed Abdul Rahman, Advocate [OPUC]
6. Two CD Copies

GNK

HIGH COURT

DATED: 01/10/2026



ORDER

CRLP.No.13233 of 2026

ALLOWING THE CRIMINAL PETITION

9 SKC
5/10/26