IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

MONDAY, THE TWELFTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 16036 OF 2026

Between:

1. Galipelli Durga Prasad, S/o Bhumaiah, Aged about 41yrs, Occ. Engineer, R/o H.No.4-1-606, Shakkarnagar X Road, Bodhan, Nizamabad District.
2. Galipelli Bhumaiah, S/o G.Rajaiah, Aged about 66yrs, Occ. Nil, R/o H.No.4-1-606, Shakkarnagar X Road, Bodhan, Nizamabad District.
3. Hasthapuram Jamuna, W/o H. Randheer Kumar, Aged about 45yrs, Occ. Housewife, R/o 6-4-221, Gandhi Road, Karimnagar Town and District.
4. Chitkuri Pushpa @ Chithakuri Pushpalatha, W/o Ch. Narsing Rao, Aged about 42yrs, Occ. Housewife, R/o H,No, 8-7, Saloora, Bodhan Mandal, Nizamabad District.
5. Hasthapuram Randheer @ Randheer Kumar, S/o H.Anjaiah, Aged about 47yrs, Occ. Busies, R/o 6-4-221, Gandhi Road, Karimnagar Town and District.

...PETITIONERS/ACCUSED Nos. 1 to 5

AND

1. The State of Telangana, Rep. by its Public Prosecutor, High Court for the State of Telangana, Hyderabad.
2. Katherapaka @ Galipelli Sruthi, W/o G. Durga Prasad, Aged about 31yrs, Occ. Housewife, R/o H.No. 6-76/16/02, Gandhi Nagar, Chinthakunta Village, Kothapalli Mandal, Karimnagar District.

...RESPONDENT/DEFACTO 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 proceedings against the Petitioners/Accused No.1 to 5 In Cr.No.152/2026 of Karimnagar Women Police Station, Karimnagar.

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 the arrest of the Petitioners/Accused No.1 to 5 in Cr.No.152/2026 of Karimnagar Women Police Station, Karimnagar, pending disposal of the main Criminal Petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri N. Avaneesh Kumar representing Sri B. Srinivasulu, Advocate for the Petitioners, Public Prosecutor on behalf of the Respondent No. 1 and none appeared 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.16036 of 2026
(CNR No. HBHC010672592026)

Date: 12.10.2026

Between:
Galipelli Durga Prasad and four others.

...Petitioners/Accused Nos.1 to 5

AND

The State of Telangana and another

...Respondents

ORDER:

This Criminal Petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'the BNSS') by the petitioners/accused Nos.1 to 5 seeking to quash the proceedings in Crime No.152 of 2026 of Karimnagar Women Police Station, Karimnagar District, registered for the offences punishable under Sections 85 and 351(2) r/w 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short 'the BNS') and Section 4 of the Dowry Prohibition Act, 1961.

2. Heard Mr.N.Avaneesh Kumar, learned counsel, representing Mr.B.Srinivasulu, learned counsel for the petitioners, and Mr.Jithendar Rao Veeramalla, learned Additional Public Prosecutor for respondent

No.1. With their consent, this criminal petition is disposed of at the stage of admission.

3.1 Learned counsel for the petitioners submitted that the petitioners have not committed any offence and they have been falsely implicated in the present crime. Even according to the allegations levelled in the complaint, there are no allegations much less specific allegations against the petitioner Nos.2 to 5 and they were falsely implicated only on the ground that petitioner No.2 is father, petitioner Nos.3 and 4 are sisters, and petitioner No.5 is brother-in-law of petitioner No.1 by making omnibus allegations. At no point of time, respondent No.1 and petitioner No.1 lived along with petitioner Nos.2 to 5. Therefore, question of harassment and demand of additional dowry as alleged in the complaint does not arise. Respondent No.2 left the matrimonial house of petitioner No.1 voluntarily and she lodged the present complaint with an intention to harass the petitioners. Hence, continuation of the proceedings against the petitioners is a clear abuse of the process law.

3.2. He further submitted that the offences levelled against the petitioners are punishable with imprisonment of less than seven years and the Investigating Officer without following the mandatory procedure as prescribed under Section 35(3) of the BNSS 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.

4.1 *Per contra*, the learned Additional Public Prosecutor submitted that there are specific allegations levelled in the complaint about the demand of additional dowry and harassment made by the petitioners. Whether the allegations levelled against the petitioners in the complaint are true or not, the same will be revealed during the course of investigation, especially the investigation is under progress.

4.2 He further submitted that the offences levelled against the petitioners are punishable with imprisonment of less than seven years and the Investigating Officer is trying to serve the notice under Section 35(3) of the BNSS to the petitioners and the petitioners are avoiding receiving the notice and not cooperating with the investigation from the date of registration of the present crime. Hence, the petitioners are not entitled to seek quashing of the proceedings.

5. The learned counsel for the petitioners by way of reply submitted that the petitioners will cooperate with the investigation.

6. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that

[1](2014) 8 SCC 273

petitioner No.1 and respondent No.2 are husband and wife and their marriage was performed on 08.04.2026 and thereafter, matrimonial disputes arose between them. Whether the allegations levelled against the petitioners in the complaint are true or not, the same will be revealed during the course of investigation. Even according to the learned Additional Public Prosecutor, the investigation is under progress. 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 wants to follow the due procedure as contemplated under Section 35(3) of the BNSS.

7. Taking into consideration the peculiar facts and circumstances of the case and in view of the submissions made by the learned Additional Public Prosecutor, the petitioners/accused Nos.1 to 5 are directed to appear before the Investigating Officer on or before 27.10.2026 and on such appearance, the Investigating Officer is directed to scrupulously follow the due procedure as contemplated under the provisions of the BNSS and the guidelines issued by the Hon'ble Apex Court in **Arnesh Kumar** (supra). The petitioners shall cooperate with the investigation. It is needless to mention that the petitioners are entitled to put forth their grievance before the Investigating Officer by raising all the pleas which

are available to them and they are also entitled to submit the documents, which are in their possession.

8. With the above directions, the Criminal Petition is disposed of.

Miscellaneous applications, pending if any, shall stand closed.

SD/- P.C.SULEKHA DEVI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Station House Officer, Karminagar Women Police Station, Karimnagar
2. Two CCs to Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
3. One CC to Sri B. Srinivasulu, Advocate [OPUC]
4. Two CD Copies

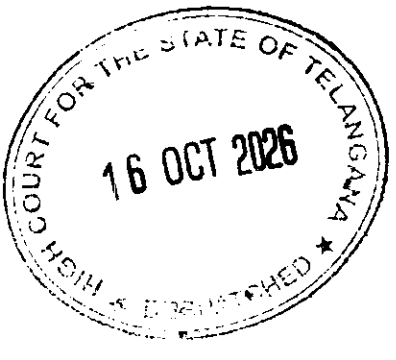
VH/BA

HIGH COURT

DATED: 12/10/2026

ORDER

CRLP.No.16036 of 2026



DISPOSING OF THE

CRIMINAL PETITION

(7)
16/10/26