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: 16898 OF 2026

Between:

1. Bhajrang Bharadwaj @ Bharang Sharma, S/o Late Ratiram Sharma Age. 32 Years, OPRC. Jawan in CRPF, Assam, R/o H. No. Pali Village, Mahendragarh District, Haryana State.
2. Rajender Bharadwaj, S/ o Late Ratiram Sharma, Age. 36 Years, OPRC. Political Activist, R/o H. No. Pali Village, Mahendragarh District, Haryana State.

...Petitioner/Accused 1 & 2

AND

1. The State of Telangana, through PS Malakpet, Hyderabad, Rep by its Public Prosecutor, High Court for the State of Telangana At Hyderabad.
2. Sai Prakash Kaushik, S/o Raj Kumar Kaushik Aged 34 Years, OPRC. Business, R/o Flat no. 503, Devi Residency, Sripuram Colony, Malakpet, Hyderabad

...Respondents/De-facto Complainant

Petition under Section 482 of Cr.P.c. 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 order dated 05.08.2026 passed by the learned VII Additional Chief Metropolitan Magistrate, Hyderabad Court in P.R.C. No.115 of 2023, dismissing the petition filed under Section 70(2) Cr.P.C.and consequently, recall the Non-Bailable Warrants issued against the Petitioners/ Al and A2 in P.R.C. No.115 of 2023.

I.A. NO: 2 OF 2026

Petition under Section 482 of Cr.P.C 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 suspend the execution of the NBWs issued on 16.06.2026 against the Petitioners in P.R.C. No.115 of 2023, subject to their undertaking to appear before the learned Trial Court and furnish the requisite sureties.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Mr. K. Karuna Sagar, Advocate for the Petitioners and the Mr. Jithender Rao Veeramalla, Addtiional Public Prosecutor on behalf of the Respondent No.1 and of 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.16898 of 2026
CNR No. HBHC010693012026

Date: 12.10.2026

Between:
Bhajrang Bharadwaj @ Bharang Sharma and another

...Petitioners

AND

The State of Telangana and another

...Respondents

ORDER

This Criminal Petition is filed aggrieved by the order dated 05.08.2026 passed by the learned VII Additional Chief Metropolitan Magistrate, at Hyderabad, in P.R.C.No.115 of 2023, wherein the application filed by the petitioners seeking to recall the Non-Bailable Warrant (NBW) issued against them was dismissed.

2. Heard Mr.K.Karuna Sagar, learned counsel for the petitioners and Mr.Jithender Rao Veeramalla, learned Additional Public Prosecutor for respondent No.1.

3. Notice in respect of respondent No.2 is dispensed with solely on the ground that the petitioners are not seeking any relief against respondent No.2 and is only seeking recall of the NBWs issued by the learned trial Court.

4. Learned counsel for the petitioners submits that the petitioners are accused Nos.1 and 2 in P.R.C.No.115 of 2023 and are facing prosecution for the offences punishable under Sections 324, 307, 426, 449, 452 and 506 r/w 34 of the Indian Penal Code, 1860 (for short, "IPC"). He further submits that petitioner No.1 is discharging his duties as a Jawan in the Central Reserve Police Force (CRPF) in Assam, while petitioner No.2 is residing in Haryana. Due to unavoidable circumstances, the petitioners could not appear before the learned trial Court on 16.06.2026, pursuant to which the learned trial Court issued non-bailable warrants (NBWs) against them. Thereafter, the petitioners filed an application under Section 70(2) of the Code of Criminal Procedure, 1973 (for short, "Cr.P.C."), seeking the recall of the NBWs issued against them. However, the learned trial Court, without properly considering the contentions raised by learned counsel for the petitioners, dismissed the said application on 05.08.2026. He further submits that the

petitioners are willing to appear before the learned trial Court and furnish sureties. He also submits that the petitioners will represent their matter through their counsel and appear before the learned trial Court as and when required. Unless the NBWs are recalled, the petitioners will be put to great hardship.

5. *Per contra*, learned Additional Public Prosecutor submits that pursuant to the order dated 01.06.2026 petitioners not appeared before the trial Court and not furnished sureties. Hence the learned trial Court issued NBWs against petitioners on 16.06.2026 and dismissed the application filed by the petitioners on 05.08.2026.

6. Having considered the rival submissions made by the learned counsel for the respective parties and upon perusal of the material available on record, it reveals that the petitioners are accused Nos.1 and 2 in P.R.C.No.115 of 2023 and are facing prosecution for the offences punishable under Sections 324, 307, 426, 449, 452 and 506 r/w 34 of the IPC. The record further reveals that, on 01.06.2026, the learned trial Court directed the petitioners to appear before the trial Court and furnish sureties. As the petitioners failed to comply with the said order, the learned trial

Court issued NBWs against them on 16.06.2026. Thereafter, the petitioners filed an application seeking the recall of the NBWs, which was dismissed by the learned trial Court on 05.08.2026. The record further reveals that petitioner No.1 is Jawan in CRPF in Assam. According to learned counsel for the petitioners, petitioner No.2 is a resident of Haryana and is presently residing in New Delhi.

7. During the course of hearing, learned counsel for the petitioners submits that the petitioners will appear before the learned trial Court and furnish sureties in compliance with the order dated 01.06.2026.

8. Taking into consideration the peculiar facts and circumstances of the case and the occupation of the petitioners, this Court is inclined to recall the NBWs issued against the petitioners on 16.06.2026. Hence, the impugned order dated 05.08.2026 passed by the learned trial Court is liable to be set aside and is accordingly set aside.

9. In view of the above, the NBWs issued against the petitioners on 16.06.2026 are recalled, subject to the following conditions:

i) The petitioners shall appear before the learned trial Court and comply with the order dated 01.06.2026.

ii) The petitioners shall execute a personal bond for Rs.25,000/- (Rupees Twenty-Five Thousand only) each, with two sureties one of whom must be a local surety to the satisfaction of the learned trial Court.

10. Accordingly, the Criminal Petition is disposed of.

Pending miscellaneous applications, if any, shall stand closed.

SD/- K. BHAVANI SWAMY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

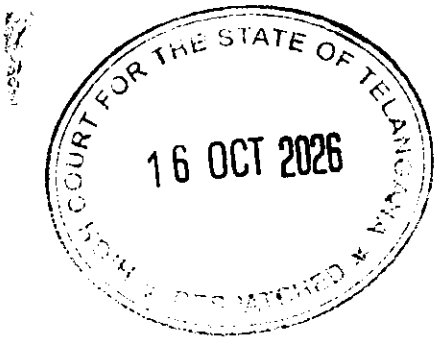
To,

1. The VII Additional Chief Metropolitan Magistrate, at Hyderabad.
2. The Station House Officer, Malakpet Police Station, Hyderabad City District.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana, at Hyderabad (OUT)
4. One CC to Mr. K. Karuna Sagar, Advocate [OPUC]
5. Two CD Copies

DL/BA

HIGH COURT

DATED: 12/10/2026



ORDER

CRLP.No.16898 of 2026

DISPOSING OF THE CRIMINAL PETITION

16/10/26