IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)

WEDNESDAY, THE SEVENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SMT JUSTICE TANGIRALA MADHAVI DEVI

WRIT PETITION NO: 33896 OF 2026

Between:

Shaik Chand, S/o Imam A/a. 53 yrs, Occ. Business, R/o H.No. 2-2-14/16/D2, Wosdom School Lane, Backside of Venkatarama Theater, Mahabubabad Town and District.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principle Secretary Home, Secretariat, Hyderabad.
2. The Superintendent of Police, Mahabubabad Town and District.
3. The Deputy Superintendent of Police, Mahabubabad Town and District
4. The Inspector of Police, Mahabubabad Town/Circle, Mahabubabad District, Telangana.
5. The Sub-Inspector of Police, Town Police Station, Mahabubabad, Mahabubabad District, Telangana.
6. The Assistant Sub-Inspector of Police, Town Police Station, Mahabubabad, Mahabubabad District, Telangana.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ more particularly one in the nature of Mandamus declaring the actions of 41h to 6th Respondent in harassing, threatening and calling the Petitioner to settle civil disputes, as highly illegal, arbitrary and gross violation of principals of natural Justice and Article 21 of Constitution of India, consequently direct the 4th to 6th Respondents to desist from harassing, threatening and calling the Petitioner to settle

civil disputes related to Sy.No. 428/A, 428/A/1, 428/A/2 of Mahabubabad Town and District subject matter of O.S.No. 13 of 2026 on the file of Senior Chief Judge, Mahabubabad.

I.A. NO: 1 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the 4th to 6th Respondents not to harassing, threatening and call the Petitioner to settle civil disputes related to Sy.No. 428/A, 428/A/1, 428/A/2 of Mahabubabad Town and District subject matter of O.S.No. 13 of 2026 on the file of Senior Chief Judge, Mahabubabad without due process of law pending disposal of main Writ Petition.

Counsel for the Petitioner: SRI MIRZA SAFIULLA BAIG

Counsel for the Respondents: SRI D.PRADEEP, AGP FOR HOME

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HON'BLE SMT.JUSTICE TANGIRALA MADHAVI DEVI

WRIT PETITION No.33896 of 2026
(CNR No. HBHC010696482026)

DATE: 07.10.2026

Between:

Shaik Chand ... Petitioner

AND

The State of Telangana and others ... Respondents

:: ORDER ::

Alleging harassment by respondents No.4 to 6 by calling the petitioner to the police station, coercing the petitioner to settle the civil dispute, and interfering in the civil dispute, the present writ petition has been filed.

2. Heard Sri Mirza Safiulla Baig, learned counsel for the petitioner, and Sri D. Pradeep, learned Assistant Government Pleader for Home, appearing for respondents No.1 to 6.

3. The learned Assistant Government Pleader for Home, on oral instructions, submitted that a complaint has been received against the

petitioner and that a copy of FIR No.427 of 2026, dated 30.09.2026, registered under Sections 329(3), 324(4), and 351(2), read with Section 3(5) of the BNS, has also been filed before this Court. It is submitted that, for the purpose of investigating the said crime, the petitioner had been called to the police station, but the petitioner is not cooperating.

4. It is noticed that the punishment prescribed for the offences alleged against the petitioner is less than seven years, the respondent police are directed to issue notice under Section 35(3) of the BNSS, 2023 to the petitioner and shall also scrupulously follow the guidelines laid down by the Hon'ble Supreme Court in ***Arnesh Kumar (cited supra)***, and proceed strictly in accordance with law. The petitioner shall cooperate with the investigation. However, if the provisions of sections mentioned in the F.I.R. are altered and as a consequence, Section 35(3) of the BNSS, 2023 is not applicable, the respondent police are at liberty to take further action in accordance with law.

5. Accordingly, the writ petition is disposed of. There shall be no order as to costs.

Miscellaneous applications, if any, pending shall stand closed.

Sd/-K.BHAVANI SWAMY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principle Secretary, Home, Secretariat, Hyderabad, State of Telangana.
2. The Superintendent of Police, Mahabubabad Town and District.
3. The Deputy Superintendent of Police, Mahabubabad Town and District
4. The Inspector of Police, Mahabubabad Town/Circle, Mahabubabad District, Telangana.
5. The Sub-Inspector of Police, Town Police Station, Mahabubabad, Mahabubabad District, Telangana.
6. The Assistant Sub-Inspector of Police, Town Police Station, Mahabubabad, Mahabubabad District, Telangana.
7. One CC to SRI MIRZA SAFIULLA BAIG, Advocate [OPUC]
8. Two CCs to GP FOR HOME, High Court for the State of Telangana, at Hyderabad [OUT]
9. Two CD Copies

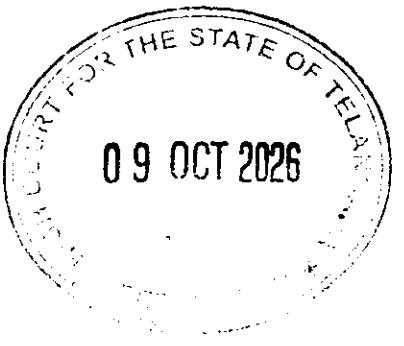
PMK

HIGH COURT **CC TODAY**

DATED: 07/10/2026

ORDER

WP.No.33896 of 2026



DISPOSING OF THE WRIT PETITION

WITHOUT COSTS

9/10/26