IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THURSDAY, THE EIGHTH DAY OF OCTOBER TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 16622 OF 2026

Between:

Pondari Yadagiri Rao, S/o. Late Balakrishnaiah Aged about 50 years, Occ. Business R/o. H.No. 9-61, Street No.4A HMT Nagar, Nacharam, Uppal Mandal Medchal Malkajgiri District

...PETITIONER/ACCUSED

AND

1. State of Telangana, Rep by the Public Prosecutor High Court of Telangana Hyderabad.
2. Molakalapati Laxmaiah, S/o. Raghavulu Aged about 75 years, Occ. Retd. Railway employee R/o. H.No. 4-9-131/2, St. No.5 HMT Nagar, Nacharam Hyderabad.

...RESPONDENT/COMPLAINANTS

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 FIR in Crime No. 575 of 2026 dated 05.10.2026 on the file of P.S. Nacharam as the dispute raised in the crime is only a civil dispute with regard to the character of the Plot No. B-205 situated at Y-Junction, HMT Nagar, Nacharam, Hyderabad.

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 in Crime No. 575 of 2026 dated 05.10.2026 registered with PS, Nacharam, Hyderabad including summoning to PS/arrest the petitioner.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri S. Sharat Kumar, Advocate for the Petitioner, Sri Jithender Rao Veeramalla, Additional Public Prosecutor on behalf of the Respondent No. 1.

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.16622 of 2026

CNR No.HBHC010699982026

Date: 08.10.2026

Between:
Pondari Yadagiri Rao

...Petitioner

AND

State of Telangana and another

...Respondents

:: O R D E R ::

This Criminal Petition has been filed by the petitioner/accused seeking to quash the proceedings in F.I.R.No.575 of 2026 of Nacharam Police Station, Malkajgiri District, registered for the offence punishable under Section 324 (4) of the Bharatiya Nyaya Sanhitha, 2023 (for short 'BNS').

2. Heard Mr.S.Sharath Kumar, learned counsel for the petitioner, and Mr.Jithendar Rao Veeramalla, learned Additional Public Prosecutor for respondent No.1.

3. With their consent, the criminal petition is disposed of at the stage of admission.

4. Learned counsel for the petitioner submits that the petitioner has not committed any offence and has been falsely implicated in the present case. The allegations levelled in the complaint are purely civil in nature. The respondent No.2 ought to have approached the competent civil court; on the other hand, filed the present complaint by giving criminal colour. He further submits that the offences alleged against the petitioner are non-cognizable in nature. Based on the petition and the requisition submitted by the Nacharam Police Station dated 30.09.2026, the learned I Additional District Junior Civil Judge-cum-V Additional Judicial Magistrate of First Class, Uppal at Medipally, passed a cryptic order dated 05.10.2026, without assigning any reasons, permitting the Investigating Officer to register a crime for the offence under Section 324(4) of BNS and to conduct an investigation. He further submitted that the order dated 05.10.2026 passed by the learned trial Court is in gross violation of the principles of natural justice.

5. The learned Additional Public Prosecutor fairly submits that the learned trial Court ought to have assigned reasons while granting permission to the Station House Officer on the basis of the application filed by the SHO.

6. Having considered the submissions made by respective parties, it is evident that the Inspector of Police, Nacharam Police Station, Medipally, based on the complaint lodged by Respondent No.2, submitted a requisition before the learned trial Court seeking permission to register a crime and conduct an investigation. The offence alleged against the petitioner under Section 324(4) of BNS is stated to be non-cognizable in nature. The learned trial Court, without assigning any reasons, passed a cryptic order dated 05.10.2026, merely stating the word "Permitted".

7. It is very much relevant to mention here that the Hon'ble Supreme Court in **Raj Kishore Jha v. State of Bihar**[1], held as under:

> 19. Before we part with the case, we feel it necessary to indicate that non-reasoned conclusions by appellate Courts are not appropriate, more so, when views of the lower Court are differed from. In case of concurrence, the need to again repeat reasons may not be there. It is not so in case of reversal. Reason is the heartbeat of every conclusion. Without the same, it becomes lifeless.

8. In **State of Pubjab v. Bhag Singh**[2], the Hon'ble Supreme Court held as under:

> 6. Even in respect of administrative orders, Lord Denning, M.R. in *Breen v. Amalgamated Engg., Union* (1971) 1 ALL ER 1148: (1971) 2 QB 175: (1971) 2 WLR 742 (CA) observed: "The giving of reasons is one of the fundamentals of

[1] (2003) 11 SCC 519
[2] (2004) 1 SCC 547

> good administration." In Alexander Machinery (Dudley) Ltd., vs. Crabtree [1974 ICR 120 (NIRC)] it was observed: "Failure to give reasons amounts to denial of justice. Reasons are live links between the mind of the decision-taker to the controversy in question and the decision or conclusion arrived at." Reasons substitute subjectivity by objectivity. The emphasis on recording reasons is that if the decision reveals the "inscrutable face of the sphinx", it can, by its silence, render it virtually impossible for the courts to perform their appellate function or exercise the power of judicial review in adjudging the validity of the decision. Right to reason is an indispensable part of a sound judicial system, reasons at least sufficient to indicate an application of mind to the matter before Court. Another rationale is that the affected party can know why the decision has gone against him. One of the salutary requirements of natural justice is spelling out reasons for the order The made, in other words, a speaking-out. "inscrutable face of the sphinx" is ordinarily incongruous with a judicial or quasi-judicial performance.

9. Similarly, in **State of Rajasthan v. Rajendra Prasad Jain**[3], the Hon'ble Apex Court held that reason is the heartbeat of every conclusion, and without the same it becomes lifeless.

10. It is relevant to mention that the learned trial Court ought to have assigned reasons while granting permission on the basis of the application filed by the Station House Officer. In the case on hand, the learned trial Court, without assigning any reasons and without application of mind, passed a cryptic one word order, and the same is

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[3] (2008) 15 SCC 711

contrary to the settled principles of law laid down by the Hon'ble Apex Court *(supra)*.

11. For the foregoing reasons, the impugned docket order dated 05.10.2026 passed by the learned trial Court and consequential registration of the crime in F.I.R. No.575 of 2026 on the file of Nacharam Police Station, Malkajgiri District, against the petitioner, are liable to be quashed and accordingly quashed. However, this order will not preclude the learned trial Court to proceed with the matter basing on the requisition submitted by the Nacharam Police Station dated 30.09.2026, in accordance with law.

12. In the result, the criminal petition is disposed of.

Pending miscellaneous applications, if any, shall stand closed.

SD/-L VIJAYA LAXMI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The I Additional Junior Civil Judge-Cum-V Additional Judicial Magistrate of First Class, Uppal at Medipally, Medchal Malkajgiri District
2. The Station House Officer, Nacharam Police Station, Malkajgiri District
3. Two CCs to Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
4. One CC to Sri S. Sharat Kumar, Advocate [OPUC]
5. Two CD Copies

VH/ABK

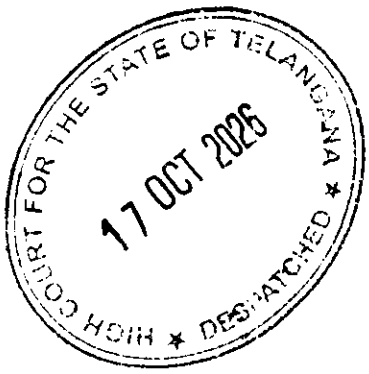
R.R

HIGH COURT

DATED: 08/10/2026

ORDER

CRLP.No.16622 of 2026



DISPOSING OF THE

CRIMINAL PETITION

8 Copies

17/10/26

R.R