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: 16660 OF 2026

Between:

MARABOINA VAMSHI KRISHNA, Son of Maraboina Jai Chander, Aged about 39 years, Occupation. Unemployed, Present Resident of H.No.8-73, Vikas Nagar Colony, Besides MYR Gardens, Nagaram, Keesara Mandal, Medchal Malkajgiri District, Telangana State – 500083.

...Petitioner/Respondent

AND

1. Smt. MARABOINA BEENA, Wife of Vamshi Krishna Maraboina, Aged about 37 years, Occupation. Teacher, Resident of Plot No.28, Narmada Nilayam, Krishna Nagar, I.C.R.I.S.A.T Colony, Phase 2, Manovikas Nagar, Old Bowenpally, Secunderabad, Telangana State - 500009.
2. JATIN KRISHNA MARABOINA, Son of Vamshi Krishna Maraboina, Aged about 12 years, Occupation. Student, Resident of Plot No.28, Narmada Nilayam, Krishna Nagar, I.C.R.I.S.A.T Colony, Phase 2, Manovikas Nagar, Old Bowenpally, Secunderabad, Telangana State - 500009.
3. NAINIKA KRISHNA MARABOINA, Daughter of Vamshi Krishna Maraboina, Aged about 9 years, Occupation. Student, Resident of Plot No.28, Narmada Nilayam, Krishna Nagar, I.C.R.I.S.A.T Colony, Phase 2, Manovikas Nagar, Old Bowenpally, Secunderabad, Telangana State - 500009.

...Respondents/Petitioners

4. The State of Telangana, THE STATION HOUSE OFFICER, Police Station Keesara, represented by its Public Prosecutor, High Court for the State of Telangana.

...Respondent No. 4

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 recall the Non-Bailable Warrant dated 11.08.2025, issued by the Principal Family Court, Secunderabad and thereby Quash the Docket Order dated 01.10.2026, passed by the learned Principal Family Court, Secunderabad in M.C. No. 18 of 2022.

I.A. NO: 1 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 the further operations of the Non-Bailable Warrant dated 11.08.2025 issued against the Petitioner/Respondent by the Principal Family Court, Secunderabad, and subsequently direct the Respondent No.4 to not to arrest the Petitioner/Respondent, pending disposal of the present Criminal Petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Mekala Sai Kalyan Goud, Advocate for the Petitioner and the Mr. Jithender Rao Veeramalla, Additiona Public Prosecutor on behalf of the Respondent No.4 and of None appeared for the Respondent Nos. 1 to 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.16660 of 2026
CNR.No. HBHC010700512026
Date: 08.10.2026

Between:

Maraboina Vamshi Krishna

...Petitioner

AND

Smt. Maraboina Beena and three others

...Respondents

ORDER

This Criminal Petition is filed by the petitioner seeking recall of the Non-Bailable Warrant (NBW) issued by the learned Judge, Principal Family Court, Secunderabad, on 11.08.2025.

2. Heard Mr.Mekala Sai Kalyan Goud, learned counsel for the petitioner and Mr.Jithender Rao Veeramalla, learned Additional Public Prosecutor for the respondent No.4-State.

3. Notice to respondent Nos.1 to 3 is dispensed with, on the ground that the petitioner is not seeking any relief against them and is only seeking recall of the NBW issued against him.

4. Learned counsel for the petitioner submitted that the learned trial Court, on 11.08.2025, issued a Non-Bailable Warrant (NBW)

against the petitioner. Thereafter, the petitioner filed a petition *vide* M.P.No.323 of 2026, invoking the provisions of Section 70(2) of the Cr.P.C., seeking recall of the NBW issued against him. However, without deciding the said petition, the learned trial Court has been adjourning the matter from time to time. Unless this Court recalls the said NBW, the petitioner will be put to great hardship.

5. *Per contra*, learned Additional Public Prosecutor submits that the petitioner himself had approached the learned trial Court by filing a petition invoking the provisions of Section 70(2) of the Cr.P.C. seeking recall of the NBW. When the said petition is pending, the petitioner is not entitled to seek recall of the NBW by invoking the jurisdiction of this Court under Section 528 of the BNSS.

6. Having considered the submissions made by the respective parties and after perusal of the material on record, it reveals that the learned trial Court, on 11.08.2025, issued NBW against the petitioner. Thereafter, the petitioner filed a petition on 30.06.2026 in M.P.No.323 of 2026, seeking recall of the NBW issued against him by invoking the provisions of Section 70(2) of the Cr.P.C. The learned counsel submits that the said application is still pending.

7. Taking into consideration the peculiar facts and circumstances of the case, and without expressing any view on the submissions

made by the respective parties or on the petition filed by the petitioner in M.P.No.323 of 2026, the learned trial Court is directed to dispose of M.P.No.323 of 2026 as expeditiously as possible, preferably within a period of two (02) weeks from the date of receipt of a copy of this order.

8. Accordingly, the Criminal Petition is disposed of.

Pending miscellaneous applications, if any, shall stand closed.

SD/- L. USHA RANI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Judge, Principal Family Court, Secunderabad.
2. One CC to Sri Mekala Sai Kalyan Goud, Advocate [OPUC]
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana, at Hyderabad (OUT)
4. Two CD Copies

DL/GNK

HIGH COURT

DATED: 08/10/2026



ORDER

CRLP.No.16660 of 2026

DISPOSING OF THE CRIMINAL PETITION

(7)
TP
15/10/26