IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

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

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 17680 OF 2026

Between:

1. Mohammed Imranuddin @ Md. Imran, S/o. Mohammed Saleemuddin, aged about 32 years, Occ. Business and Godown Owner, R/o. H.No. 19-4-340/54/49/72, Arsh Mahal Slum, Kishanbagh, Bahadurpura, Hyderabad.
2. Mohammed Abdul Nawaz, S/o. Abdul Razaq, aged about 37 years, Occ. Business, R/o. H.No. 8-2-740/10/3, Bhola Nagar, Road No. 12, Banjara Hills, Asif Nagar, Hyderabad.
3. Wasi @ Syed Wasiuddin, S/o. Mainoddin, Age. 40 years, Occ. Business, R/o. Waddepally Colony, Nizambad district
4. Shaik Habeeb, S/o. Shaik Mahamood Ali, Age 34 years, R/o. H. No. 3-30, Sevalal Tanda, Varni Mandal Nizambad District.
5. Syed Basheer Ahmed, S/o. Syed Abdullah, Age. 35 years, Occ. Business, R/o. Shastripuram, Mailardevpally RR District.
6. Kaleem, S/o. Md. Ifran, Aged. 45 years, Occ Driver, R/o. 3-42-10, jawar Nagar, Hyderabad
7. Shamshu, S/o. Govindulu, Aged. 53 years, Occ. driver, R/o. Sevalal Tanda, Varni Mandal Nizambad District
8. Md. Irshad, S/o. Md. Mujeed, aged about 24 years, Occ. Watchman/Godown In-charge, R/o. Bandlaguda, Hyderabad, N/o. Mannelli, Bidar District, Karnataka.
9. Amarajeeth Paswan, S/o. Anuruth Paswan, aged about 24 years, Occ. Labourer, R/o. Gaganpahad, Rajendranagar, N/o. Patharka Village, Bethya District, Bihar
10. Dharmendra Chowdary, S/o. Dela Chaudari, aged about 44 years, Occ. Labourer, R/o. Gaganpahad, Rajendranagar, N/o. Pujaparijidva Village, Bethya District, Bihar State.
11. Chaudary alias Chowdary, S/o. Uday Kumar Chowdary, Aged. 50 years, Occ. Labourer, R/o. Bandlaguda, Hyderabad.

...Petitioners/Accused Nos.1 to 11

AND

1. The State of Telangana, represented by its Public Prosecutor, High Court for the State of Telangana, Hyderabad.
2. H. Ravinder Naik, S/o. Pandu, Aged. 46 years, Occ: Deputy Tahsildar (Enforcement) R/o. H. No. 7-1-632/24, Sanjeeva Reddy Nagar, Hyderabad.

...Respondents

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 in C.C. No. 2753 of 2025 on the file of the III Additional Junior Civil Judge-cum-XXV Additional Judicial Magistrate of First Class, Ranga Reddy District at Rajendranagar, for the alleged offences punishable registered by RGI Airport Police Station, Cyberabad, and under Section 318(4) of the Bharatiya Nyaya Sanhita, 2023, and Section 7 of the Essential Commodities Act, 1955, insofar as the Petitioners/Accused Nos.1 to 11.

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 C.C. No. 2753 of 2025 on the file of the III Additional Junior Civil Judge-cum-XXV Additional Judicial Magistrate of First Class, Ranga Reddy District at Rajendranagar, pending disposal of the above Criminal Petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri M. Raja Laxmi, Advocate for the Petitioners and Sri Jithender Rao Veeramalla, Additional Public Prosecutor on behalf of the Respondents.

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.17680 of 2026

CNR.No. HBHC010738952026

Date: 27.10.2026

Between:

Mohammed Imranuddin @ Md.Imran and 10 others

...Petitioners

AND

The State of Telangana, and another

...Respondents

ORDER

This Criminal Petition has been filed by the petitioners/accused Nos.1 to 11 seeking to quash the proceedings in C.C.No.2753 of 2025 on the file of the III Additional Junior Civil Judge-cum-XXV Additional Judicial Magistrate of First Class, Ranga Reddy District at Rajendranagar.

2. Heard Ms.M.Raja Laxmi, learned counsel for the petitioners and Mr.Jithender Rao Veeramalla, learned Additional Public Prosecutor for respondents.

3. The specific allegation against the petitioners is that they have procured PDS rice and PDS wheat from the beneficiaries at cheaper rate to sell the same for profit and on 14.09.2024, the petitioners were found in possession of 24.500 tonnes of PDS rice and 1.500 tonnes of PDS wheat.

4. Learned counsel for the petitioners would submit that without there being any complaint from any beneficiary, alleging that the rice was procured deceptively or with a criminal intent and charging the petitioners for prosecution is untenable and improper. The allegations, even taken at their face value cannot be sustained against the petitioners. Further, this Court, in Crl.P.No.5709 of 2019, while considering the same situation, categorically observed that the offences alleged against the petitioners therein could not be continued and accordingly quashed the proceedings. The petitioners are also entitled to the same relief and hence prayed to quash the proceedings against the petitioners.

5. The learned Additional Public Prosecutor submits that as per prosecution, the offences said to have been committed by the petitioners is cheating and violation of Section 7 of the Essential

Commodities Act, 1955 (for short 'EC Act') and requested to pass appropriate orders.

6. Section 7 of the EC Act contemplate that any person contravenes with the production, supply, distribution and trade of essential commodities, is punishable. As per the prosecution, the petitioners have procured PDS rice from the beneficiaries after supply from the dealer.

7. A Coordinate Bench of this Court in Crl.P.No.7227 of 2025 has considered the identical facts and observed that:

> *"There is no averment indicating that the petitioner in any way deceptively induced the beneficiaries to part with the supplied PDS rice or the beneficiary entrusted the PDS rice purchased by them with the petitioner and they dishonestly misappropriated or converted to their own use or used it in violation of a lawful direction or contract. In the absence of essential factors, on the face of prosecution, this Court finds it to be a fit case to exercise the jurisdiction under Section 528 of BNSS, 2023. Thus, continuance of proceedings against the petitioner is abuse of process of law".*

8. The facts and circumstances of the present case also similar to those in the above case and hence, this Court finds it to be a fit case to exercise jurisdiction under Section 528 of BNSS by applying the same analogy and to quash the proceedings against the petitioners herein.

9. Accordingly, the Criminal Petition is allowed and the proceedings in C.C.No.2753 of 2025 on the file of the III Additional Junior Civil Judge-cum-XXV Additional Judicial Magistrate of First Class, Ranga Reddy District at Rajendranagar, against the petitioners/accused Nos.1 to 11, are hereby quashed.

Pending miscellaneous applications, if any, shall stand closed

SD/- K. VANI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The III Additional Junior Civil Judge-cum-XXV Additional Judicial Magistrate of First Class, Ranga Reddy District at Rajendranagar
2. The XII Additional Metropolitan Magistrate, Rajendranagar, Cyberabad
3. The Station House Officer, RGI Airport Police Station, Cyberabad
4. Two CCs to Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT]
5. One CC to Sri M. Raja Laxmi, Advocate [OPUC]
6. Two CD Copies

ABK /GNK

HIGH COURT

DATED: 27/10/2026



ORDER

CRLP.No.17680 of 2026

ALLOWING THE CRIMINAL PETITION

(9)

kpoo
31/10/26