

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT FOR THE STATE OF TELANGANA

TUESDAY, THE TWENTY FOURTH DAY OF FEBRUARY

TWO THOUSAND AND TWENTY SIX

:PRESENT:
THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 2558 OF 2026

Between:

1. Mohan Swaroop, S/o Late Laxmi Swaroop,
2. Smt. Shobha Swaroop, W/o Mohan Swaroop,

Petitioners/A 2 & 3

AND

1. State of Telangana, Rep. by its Public Prosecutor, High Court for the State Telangana, Hyderabad.
2. Smt. Meenakshi Sareen, W/o Shri Gautam Mohan Swaroop, Occ. Housewife, R/o Alpha 706, Jayabheri Silicon County, Kondapur, Hyderabad 500084.

Respondents

WHEREAS the Petitioners above named through their Advocate SRI KALLAKURI SHARAT KUMAR presented this Petition under Section 528 OF B.N.S.S., praying that in the circumstances stated in the grounds filed in support of the Criminal Petition, the High Court may be pleased to call for the Records relating to Crime No.311/2025 under Section 85, 115(2), 351(2), 352 of BNS, 2023 registered with Woman Police Station, Cyberabad Police Commissionerate, Gachhibowli and quash the proceedings in Crime No.311/2025 under Section 85, 115 (2), 351 (2), 352 of BNS, 2023.

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of SRI KALLAKURI SHARAT KUMAR Advocate for the Petitioners, and Additional Public Prosecutor, for the Respondent No.1 directed issue of notice to the Respondent No.2 herein to show cause as to why this CRIMINAL PETITION should not be admitted.

You viz:

Smt. Meenakshi Sareen,, W/o Shri Gautam Mohan Swaroop, Occ. Housewife,
R/o Alpha 706, Jayabheri Silicon County, Kondapur, Hyderabad 500084.

are directed to show cause on or before 21.04.2026 to which date the case stands posted as to why in the circumstances set out in the petition and the memorandum of grounds filed therewith (copy enclosed) this CRIMINAL PETITION should not be admitted.

IA NO: 2 OF 2026

Petition under Section 528 OF B.N.S.S., praying that in the circumstances stated in the grounds filed in support of the criminal petition, the High Court may be pleased to Stay of all further proceedings in Crime. No. 311/2025 registered with the Women Police Station, Cyderabad Police Commissionerate, Gachibowli under Section 85, 115(2), 351(2), 352 of BNS, 2023 pending against the Petitioners herein /Accused Nos. 2 & 3 including the arrest, pending disposal of the above Criminal Petition.

**The Court made the following:
ORDER:**

Notice before admission.

Learned Additional Public Prosecutor takes notice on behalf of respondent No.1.

Learned counsel for the petitioners is permitted to take out personal notice to respondent No.2 by way of Speed Post with Acknowledgment Due and file proof of service.

Mr. Prabhjit Jauhar, learned Senior Counsel representing Mr. K. Sharat Kumar, learned counsel for the petitioners, submits that the petitioners have not committed the alleged offences and have been falsely implicated in the present case solely on the ground that they are the parents of accused No.1, by making omnibus allegations. He further submits that, subsequent to the marriage, respondent No.2 and accused No.1 never lived with the petitioners, hence, the question of harassing respondent No.2 for additional dowry does not arise and the ingredients of the offences under Sections 85, 115(2), 351(2) and 352 of the Bharatiya Nyaya Sanhita, 2023 are not attracted against the petitioners and they are punishable with imprisonment of less than seven years. He further submitted that the Investigating Officer, without following the mandatory procedure prescribed under Section 35(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') and without following the guidelines formulated by the Hon'ble Supreme Court in *Arnesh Kumar*

*Vs. State of Bihar*¹, is proceeding further in the matter and the same is contrary to law.

Taking into consideration the above submissions, this Court is of the *prima facie* view that there is force in the submissions made by the learned Senior Counsel for the petitioners. However, this Court would not be justified in granting a stay of further investigation pending the proceedings under Section 528 of the BNSS.

Hence, the Investigating Officer is directed to follow the procedure as contemplated under the provisions of the BNSS, insofar as petitioners /accused Nos.2 and 3 are concerned.

Post on 21.04.2026.

//TRUE COPY//

**SD/-S.MALLIJARJUNA RAO
ASSISTANT REGISTRAR**


SECTION OFFICER

To,

1. The 1st Addl Junior Civil Judge-cum-IX Addl Judicial Magsitrate of 1st Class, Ranga Reddy District at Kukatpally.
2. The Station House Officer, WPS-IT Corridor(Cyberabad) Police Station, Cyberabad Commissionerate.
3. Smt. Meenakshi Sareen, W/o Shri Gautam Mohan Swaroop, Occ. Housewife, R/o Alpha 706, Jayabheri Silicon County, Kondapur, Hyderabad 500084. (by SPAD- along with a copy of petition and memorandum of grounds)
4. One CC to SRI. KALLAKURI SHARAT KUMAR Advocate [OPUC]
5. Two CCs to Public Prosecutor, High Court at Hyderabad (OUT)
6. One spare copy

¹(2014) 8 SCC 273

HIGH COURT

JSR,J

DATED:24/02/2026

POST ON 21.04.2026



NOTICE BEFORE ADMISSION

CRLP.No.2558 of 2026

DIRECTION