

**IN THE HIGH COURT FOR THE STATE OF TELANGANA  
AT HYDERABAD**

WEDNESDAY, THE EIGHTEENTH DAY OF FEBRUARY  
TWO THOUSAND AND TWENTY SIX

**PRESENT**

**THE HONOURABLE SRI JUSTICE J SREENIVAS RAO**

**CRIMINAL PETITION NO: 2166 OF 2026**

**BETWEEN:**

SAHEB KHAN, S/o. Sardar Khan, Aged 56 years, Occ: Owner of the Vehicle, R/o. Taj Colony, Basavakalyan Taluka, Bidar District, Karnataka State.

**...Petitioner/Owner of Ashok Leyland, Lorry bearing, Reg.No.KA-56-2337**

**AND**

1. The State of Telangana, through S.H.O., Nelakondapally Prohibition & Excise Station, Khammam District, rep. by its Public Prosecutor, High Court for the State of Telangana at Hyderabad.
2. The Deputy Commissioner, Prohibition and Excise, Khammam Division.
3. The Station House Officer, Nelakondapally Prohibition & Excise Station, Khammam District

**...Respondents/Complainant**

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 pass orders directing the Deputy Commissioner, Prohibition and Excise, Khammam Division, to issue appropriate directions to the Station House Officer, Nelakondapally Prohibition and Excise Station, Khammam District, to forthwith release the Petitioner's Ashok Leyland Lorry bearing Registration No. KA-56-2337, which was seized in C.O.R. No.20 of 2026, in view of the quashment of the entire proceedings in C.O.R. No.20 of 2026 pursuant to the orders passed by this Hon'ble Court in Criminal Petition No. 1470 of 2026, dated 06-02-2026.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Arvapalli Shiva Sai Nath, Advocate for the Petitioner and Sri Jithender Rao Veeramalla, learned 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.SREEMIVAS RAO**

**CRIMINAL PETITION No.2166 of 2026**

**Date: 18.02.2026**

Between:

Saheb Khan

...Petitioner

AND

The State of Telangana,  
Through S.H.O., Nelakondapally  
Prohibition & Excise Station,  
Rep. by its Public Prosecutor,  
High Court for the State of Telangana  
at Hyderabad and two others.

...Respondents

**ORDER**

This Criminal Petition has been filed seeking a direction to the Deputy Commissioner of Prohibition and Excise, Khammam Division, to issue appropriate directions to Station House Officer, Nelakondapally Prohibition and Excise Station, Khammam District, to release the petitioner's vehicle, namely, Ashok Leyland Lorry, bearing registration No. KA-56-2337, which was seized in C.O.R.No.20 of 2026, of Nelakondapally Prohibition & Excise Station, Khammam District.

2. Heard Mr. A. Shiva Sainath, learned counsel for the petitioner and Mr. Jithender Rao Veeramalla, learned Additional Public Prosecutor appearing for respondents.

3. Learned counsel for the petitioner submitted that the petitioner herein is the registered owner of the Ashok Leyland Lorry, bearing registration No. KA-56-2337. The said vehicle was involved in C.O.R.No.20 of 2026. Accused Nos.1 and 2 in the said crime approached this Court and filed CrI.P.No.1470 of 2026 and this Court allowed the said petition on 06.02.2026. In spite of the same, the S.H.O., Nelakondapally Prohibition and Excise Station, Khammam District is not releasing the said vehicle. Hence the action of the said Authority is contrary to the orders passed by this Court.

4. *Per contra*, learned Additional Public Prosecutor submitted that the subject vehicle was deposited before the Deputy Commissioner of Prohibition & Excise, Khammam District. The petitioner without approaching the concerned Deputy Commissioner of Prohibition & Excise, Nalgonda, by submitting an appropriate application seeking release of vehicle, has straight away approached this Court and filed the present Criminal Petition.

5. Having considered the rival submissions made by the respective parties and after perusal of the records, it reveals that accused Nos.1 and 2 have approached this Court and filed CrI.P.No.1470 of 2026 seeking quashing of the proceedings in C.O.R.No.20 of 2026 and the same was allowed on 06.02.2026. By virtue of quashing of C.O.R.No.20 of 2026, the petitioner is entitled to the return of the subject vehicle.

6. According to the learned Additional Public Prosecutor, the subject vehicle was deposited before the Deputy Commissioner of Prohibition & Excise, Khammam Division.

7. Taking into consideration the facts and circumstances of the case, the petitioner is granted liberty to submit an application for release of the vehicle before the concerned Deputy Commissioner of Prohibition & Excise, Khammam Division, enclosing a copy of this order, as well as the order dated 06.02.2026 in CrI.P.No.1470 of 2026. On receipt of such application, the Deputy Commissioner of Prohibition & Excise, Khammam Division is directed to consider the same and release the vehicle in favour of the petitioner after due verification of the documents and after obtaining necessary authorization, within a period of three (03) days from the date of filing of the application. Registry is directed to

communicate a copy of this order to the concerned Deputy Commissioner of Prohibition & Excise, Khammam Division.

8. Accordingly, the criminal petition is disposed of.

As a sequel, miscellaneous petitions, pending if any, stand closed.

**Sd/- U SUDHA  
ASSISTANT REGISTRAR**

**//TRUE COPY//**

**SECTION OFFICER**

To,

1. The Deputy Commissioner, Prohibition and Excise, Khammam Division.
2. The Station House Officer, Nelakondapally Prohibition & Excise Station, Khammam District.
3. Two CCs to the Public Prosecutor, High Court of Telangana at Hyderabad [OUT]
4. One CC to Sri Arvapalli Shiva Sai Nath, Advocate [OPUC]
5. Two CD Copies

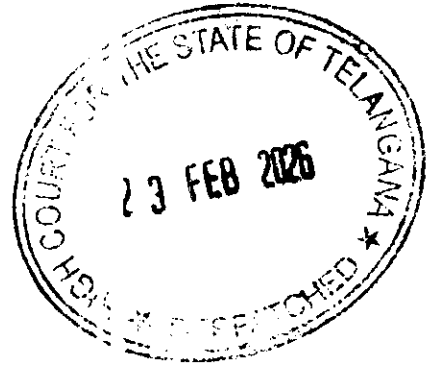
**B<sup>d</sup>GNK**

**HIGH COURT**

**DATED: 18/02/2026**

**ORDER**

**CRLP.No.2166 of 2026**



**DISPOSING OF THE CRIMINAL PETITION**

8  
23/02/26  
V.K.