

IN THE HIGH COURT FOR THE STATE OF TELANGANA  
AT HYDERABAD  
(Special Original Jurisdiction)

[ 3255 ]

THURSDAY, THE TWENTY FIFTH DAY OF SEPTEMBER  
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR

WRIT PETITION NO: 29547 OF 2025

Between:

Uppala Praveen Kumar, S/o. Bhavana Rishi, Aged about 33 Years, Occ.  
Business, R/o. MIG - 599, Tower - 2, Merina Skies, Kukatpally, Ranga Reddy  
District.

AND

...PETITIONER

1. The State of Telangana, Rep. by its Principal Secretary, Home Department, Secretariat Building, Secretariat, Hyderabad.
2. The Director General of Police, Telangana, Hyderabad.
3. The Commissioner of Police, Cyberabad, Cyberabad Commissionerate, Hyderabad.
4. The Deputy Commissioner of Police, Madhapur Division, Cyberabad Commissionerate, Hyderabad.
5. The Station House Officer, Miyapur Police Station, Cyberabad Commissionerate, Hyderabad.
6. Valla Krishna, S/o. Vallala Sarvesham, Aged about 45 Years, Occ. Business, R/o. Flat No.1209, Risina Towers, Bachupally, Ranga Reddy District.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondent No.5 in non-following the provisions of Section 35 (3) of B.N.S.S. Act and non-initiating to implement the directions of the Honourable Apex Court in Arnesh Kumar V/s. State of Bihar and trying to arrest the Petitioner in Crime No. 1015 of 2025 for the offences under Section 316(2), 318(4), 352, 351 (2) BNS, dated 11.07.2025 on the file of Police Station, Miyapur without issuing any notice under Section 35 (3) of B.N.S.S. by colluding with the Respondent No.6, is illegal, arbitrary, unconstitutional and violation of Articles 14, 15, 21 and 300-A of Constitution of India and also violation of Principles of Natural Justice and consequently direct

the Respondent No.5 to follow the provisions under Section 35 (3) of B.N.S.S. Act or follow the directions of the Honourable Apex Court in Arnesh Kumar V/s. State of Bihar.

**IA NO: 1 OF 2025**

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the Respondent No.5 to follow the provisions under Section 35 (3) of B.N.S.S. Act or follow the directions of the Honourable Apex Court in Arnesh Kumar V/s. State of Bihar pending disposal of the Writ Petition.

**Counsel for the Petitioner: SRI RAPOLU BHASKAR**

**Counsel for the Respondent Nos.1 TO 5: SRI G.ANIKETH REDDY, AGP FOR  
HOME**

**Counsel for the Respondent No.6: ---**

**The Court made the following: ORDER**

THE HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR

WRIT PETITION No.29547 of 2025

ORDER:

Heard learned counsel for the petitioner and Sri.G.Aniketh Reddy, learned Assistant Government Pleader for Home appearing for respondent Nos.1 to 5. With their consent, this writ petition is being taken up for disposal at the admission stage itself.

2. This writ petition has been filed seeking the following prayer:-

*"to declare the Respondent No.5 in non-following the provisions of Section 35(3) of B.N.S.S Act and non-initiating to implement the directions of the Honourable Apex Court in Arnesh Kumar V/s. State of Bihar and trying to arrest the Petitioner in Crime No.1015 of 2025 for the offences under Section 316(2), 318(4), 352, 351(2) BNS, dated 11.07.2025 on the file of Police Station, Miyapur, without issuing any notice under Section 35(3) of B.N.S.S. by colluding with the Respondent No.6 is illegal, arbitrary, unconstitutional and violation of Articles 14, 15, 21 and 300-A of Constitution of India and also violation of Principles of Natural Justice and consequently direct the Respondent No.5 to follow the provisions under Section Section 35(3) of B.N.S.S Act or follow the directions of the Honourable Apex Court in Arnesh Kumar V/s State of Bihar."*

3. Brief facts stated in this writ petition are that petitioner has established immigration service centre under name an style of "S.N.P Technologies" and since 2014, petitioner is working as immigration consultant in his services centre. It is further submitted that in the year 2022, respondent No.6 approached the petitioner and requested to provide immigration services and the petitioner has completed the entire process of immigration. Developing faith in the petitioner and his services, respondent No.6 used to bring clients to petitioner's office and the same was processed by the petitioner. The case of

the petitioner is that respondent No.6 created some fake documents regarding French language and skill certificates and the same was handed over to the petitioner for process of visa for different countries, however, the same was rejected and the clients demanded their money back. Thereafter, respondent No.6 with an intention to grab the money from the petitioner, lodged a complaint before respondent No.5 with false allegation and subsequently, Crime No.1015 of 2025 dated 11.07.2025, for the offences under Section 316(2), 318(4), 352, 351(2) of Bharatiya Nagarik Suraksha Sanhita, 2023 (herein after referred as 'BNSS') was registered. Further case of the petitioner is that the respondent No.5 is threatening the petitioner to settle the dispute with respondent No.6 and is harassing the petitioner to pay money to the respondent No.6. Aggrieved, by the same this writ petition is filed.

4. Learned Assistant Government Pleader for Home appearing for respondent Nos.1 to 5 placed on record instructions issued by Sub-Inspector of Police, Miyapur Police Station, Cyberbad Commissionerate, wherein it is submitted that on respondent No.6 complaint dated 11.07.2025, Crime No.1015 of 2025 dated 11.07.2025, was registered and detailed statement of respondent No.6 was recorded. During the course of enquiry, the investigation officer *vide* letter dated 22.09.2025 requested the Manager, HDFC Bank, Miyapur, to furnish bank statement of respondent Nos.6 and the same was furnished. Thereafter, investigation officer tried to issue notice under Section 35(3) of BNSS to the petitioner. It is further submitted that

instead of approaching to the investigating officer, petitioner had filed this writ petition.

5. Learned Assistant Government Pleader for Home further submits that the investigating officer is taking efforts to complete the investigation in Crime No.1015 of 2025 dated 11.07.2025 and in this connection, investigating officer even tried to issue notice under Section 35(3) of BNSS and pray this Court to direct the petitioner to co-operate with the investigation pending in Crime No.1015 of 2025 dated 11.07.2025.

6. Having considered the above facts and circumstance and without expressing any opinion on the merits of the case, this writ petition is disposed of directing petitioner to approach respondent No.5 on 26.09.2025 at 3.00 Pm and the respondent No.5 is directed to serve notice under Section 35(3) of BNSS to the petitioner and conduct investigation by following due procedure as contemplated under law. It is also made clear that the petitioner shall co-operate with the investigation in FIR No.1015 of 2025 dated 11.07.2025.

7. With the above direction, this writ petition is disposed of. Miscellaneous applications, if any pending, shall stand closed. No order as to costs.

**SD/- V.KAVITHA  
DEPUTY REGISTRAR**

**//TRUE COPY//**

**SECTION OFFICER**

**To**

1. The Principal Secretary, Home Department, Secretariat Building, Secretariat, Hyderabad, State of Telangana.
2. The Director General of Police, Telangana, Hyderabad.
3. The Commissioner of Police, Cyberabad, Cyberabad Commissionerate, Hyderabad.
4. The Deputy Commissioner of Police, Madhapur Division, Cyberabad Commissionerate, Hyderabad.
5. The Station House Officer, Miyapur Police Station, Cyberabad Commissionerate, Hyderabad.

6. One CC to SRI RAOULU BHASKAR, Advocate [OPUC]
7. Two CCs to GP FOR HOME, High Court for the State of Telangana, at Hyderabad. [OUT]
8. Two CD Copies

PSK.

PSK.



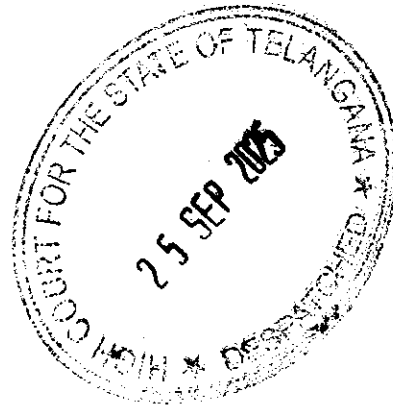
CC TODAY

HIGH COURT

DATED: 25/09/2025

ORDER

WP.No.29547 of 2025



DISPOSING OF THE WRIT PETITION  
WITHOUT COSTS

⑪ MT  
25/9/25