

HIGHCOURT OF ANDHRA PRADESH AT AMARAVATI

MAIN CASE No: CrI.P.No.1149 of 2026

PROCEEDING SHEET

Sl. No.	DATE	ORDER	OFFICE NOTE
01.	12.02.2026	<u>Dr.YLR,J</u> <u>I.A.No.01 of 2026</u> Heard. Dispensed with for the present. Dr.YLR,J <u>CrI.P.No.1149 of 2026</u> Heard learned counsel for the Petitioner and the learned Assistant Public Prosecutor. Issue notice to the Respondent No.2. The learned counsel for the Petitioner is permitted to take out personal notice on Respondent No.2 and file proof to that effect. As seen from the record, there is an alleged transaction of Rs.32,10,000/- between the Petitioner and Respondent No.2. The Petitioner has preferred a company petition in C.P.No.318 of 2016 before the High Court of Judicature for the States of Telangana and Andhra Pradesh. An order dated 15.06.2018 was passed therein, wherein reference was made to the said amount, and a direction was issued deferring the advertisement for eight weeks. Subsequently, a company application was filed in C.A.No.02 of 2018, and an order dated 11.09.2018 was passed directing proof of publication.	

		At present, a dispute is pending between the Petitioner and Respondent No.2 before the Company Court. The Petitioner and Respondent No.2 have further lodged a complaint, which culminated in a charge sheet in C.C.No.222 of 2022, pending before the learned VII Additional Judicial Magistrate of First Class, Visakhapatnam, wherein allegations have been made under Sections 420, 408, 477-A, 464, and 506 of the Indian Penal Code, 1860¹. The Hon'ble Apex Court in Delhi Race Club (1940) Ltd v. State of Uttar Pradesh² observed that the criminal breach of trust and cheating cannot go together. Considering the entire gamut of litigation pending between the Petitioner and Respondent No.2, there shall be a stay of all further proceedings in C.C. No.222 of 2022 on the file of the learned VII Additional Judicial Magistrate of First Class, Visakhapatnam, until the next date of hearing. Post the matter after Eight weeks. _____ Dr.YLR,J PRA	
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¹ 'the I.P.C.,'

² CrI.A.No.3114 of 2024 dated 23.08.2025