

HIGH COURT OF ANDHRA PRADESH : AT AMARAVATI

MAIN CASE No: CrI.P.No.2745 of 2023

PROCEEDING SHEET

Sl. No.	DATE	ORDER	OFFICE NOTE
07.	07.07.2026	<u>GTK,J</u> Heard Mr.V.Uday Kumar, learned counsel for the petitioner, Mr.Sai Rohit, learned Assistant Public Prosecutor appearing for the State/respondent No.1, and Mr.Tata Singaiah Goud, learned counsel for the respondent No.2. The simple question that falls for consideration before this Court is whether an advocate, who is staying/ residing in the house of Accused No.1 (owner) and representing a case on his behalf in O.S.No.55 of 2017 on the file of the learned I Additional Junior Civil Judge, Eluru, can be proceeded against merely on the ground, when there is no dispute with regard to the said factual aspect. One of the submissions made by Mr.V.Uday Kumar, learned counsel, is that, unless there are allegations of misconceived attitude of the advocate in deceiving the client/any authority, then only the cause of action arises against the advocate. He further submits that, time and again, the Hon'ble Supreme Court and this Court have consistently reminding the legal issues that advocates cannot be found fault for nothing and cannot be roped into the arena of criminal offence. The said ratio was also appraised in Suo Motu Writ Petition (Criminal) No.2 of 2025, dated 31.10.2025.	

In oppugnation, Mr.Tata Singaiah Goud, learned counsel, would submit that there are allegations against Accused No.2 in another case, where the witness was examined, who stated against the Accused No.2/advocate in Crime No.1054 of 2025 of Eluru I Town Police Station.

It is a settled law that a statement given in one case cannot be adopted in other case against the accused in common.

In the present case, as stated in the entire proceedings before this Court in this Criminal Petition, there are no allegations against Accused No.2, and simply because the advocate is residing in the building of Accused No.1, which is under the cloud of conflict before the Court below, cannot be saddled and encountered in the criminal case.

It is also a place to mention that Mr.T.Rambabu, *de facto* complainant, who is also practising advocate, is present before this Court.

After hearing the learned counsel for the petitioner and the *de facto* complainant at length, both have requested to refer the matter to the mediation.

This Court finds the said submission laudable and opines that it is a case to be referred to mediation centre of the High Court.

Registry is directed to refer the matter to senior-most mediator of the High Court Mediation Centre.

Post the matter on 28.07.2026.

GTK,J
BMS