



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3521]

FRIDAY, THE TWENTY FOURTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

I.A.Nos.2 & 3 of 2026

In/And

CRIMINAL PETITION NO: 3362/2026

Between:

1. ROHIT KAYAL, SON OF SHYAM SUNDAR KAYAL, AGED ABOUT 37 YEARS, RESIDENT OF FLAT NO. 6A, BLOCK-2, LAKE DISTRICT, 74/1, NARKELDANGA MAIN ROAD, KOLKATA-700054.
2. SHYAM SUNDAR KAYAL,, S/O. LATE CHANDAN MAI KAYAL, AGED 67 YEARS, HINDU, R/O 74/1, NARKELDANGA, MAIN ROAD, BLOCK-LL FLAT NO. 6A, GLAMIS CASTLE LAKE DISTRICT, KOLKATA-700054
3. PRASANTO BISWAS,, S/O. LATE SRI MURARI MOHAN BISWAS, AGED 67 YEARS, FORMER JUTE PURCHASER OF SWARANDHRA JUTE MILLS, R/O. ATHUVAPRA, NEAR PATWARI ALUMINUM FACTOR, LABONI CINEMA HALLA, BARDMAN, WEST BENGAL.

...PETITIONER/ACCUSED(S)

AND

1. THE STATE OF ANDHRA PRADESH, REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF ANDHRA PRADESH, AMARAVATI THROUGH STATION HOUSE OFFICER, J.K. PURAM, POLICE STATION, SRIKAKULAM DISTRICT.
2. SWARNANDHRA JUTE MILLS PRIVATE LIMITED, DULY REPRESENTED BY MADANACHITTI MARKANDEYA, OF SURVEY NO.40, VARISSAM VILLAGE RANASTHALAM MANDAL, PYDHIBHEEMAVARAM, SRIKAKULAM ANDHRA PRADESH, INDIA - 532409

...RESPONDENT/COMPLAINANT(S):**Counsel for the Petitioner/accused(S):**

1.ADAPA RAMYA SAHITHI NAIDU

Counsel for the Respondent/complainant(S):

1.PUBLIC PROSECUTOR

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

Criminal Petition has been filed under Section 528 Bharatiya Nagarik Suraksha Sanhita Act, 2023 (for brevity 'the BNSS') by the Petitioner/Accused Nos.1 to 3, seeking to quash the proceedings against them in C.C.No.110 of 2020 on the file of the learned Special Judicial Magistrate of First Class, (Prohibition & Excise), Srikakulam (for brevity, 'the learned Trial Court').

2. I.A.No.2 of 2026 is filed by the Petitioner/de-facto complainant/ Respondent No.2 seeking permission to permit the Respondent No.2/de-facto complainant to compound the alleged offence in C.C.No.110 of 2020 on the file of 'the learned Trial Court' against Respondents/Accused Nos.1 to 3.

3. I.A.No.3 of 2026 is filed by the Petitioner/de-facto complainant/ Respondent No.2 seeking to record compromise between the Petitioner/de-facto complainant and the Respondents/Accused Nos.1 to 3 as per the joint memo and quash the proceedings against them in C.C.No.110 of 2020 on the file of 'the learned Trial Court'.

4. Today, when the matters were taken up for hearing, the Petitioners/Accused Nos.1 to 3 and Respondent No.2/de-facto complainant were present before this Court. They produced their respective attested copies of Aadhar cards in proof of their identity, and the same were placed on

record for proper identification. Both the learned Counsel on record identified both the parties in open Court.

5. Mr.A.Sai Rohith, learned Assistant Public Prosecutor for the State, reported no objection to record the compromise.

6. The Court enquired with Swarnandhra Jute Mills Private Limited, the de-facto complainant, regarding its willingness to compromise, and it voluntarily expressed readiness to settle the matter, stating it does not wish to prosecute further. The complainant had earlier filed a private complaint on 17.03.2016 under Sec.200 of 'the Cr.P.C.,' before the learned Judicial Magistrate of First Class, Srikakulam alleging cheating, breach of trust, misappropriation of Rs.2.02 crores and falsification of accounts, which led to registration of Cr.No.46/2016 under Sections 120-B, 420, 403, 406, 468, 471, 477-A read with 34 of 'the I.P.C.,' and Section 156(3) of 'the Cr.P.C.,' and subsequent filing of charge sheet in C.C.No.360/2018 on the file of the learned Judicial Magistrate of First Class, Srikakulam, later re-numbered as C.C.No.110/2020 on the file of 'the learned Trial Court'. Pending disputes, the parties entered into an Memorandum of Understanding (MOU) dated 25.03.2026 to amicably settle all litigations, and in view of the compromise, the complainant agreed to close proceedings.

7. Considering the submissions and in the light of the Judgment of the Hon'ble Apex Court in ***Gian Singh vs. State of Punjab and another***¹, since

¹ 2012(10) SCC 303

there is an amicable settlement between the parties, in the interest of justice, I.A.Nos.2 and 3 of 2026 are disposed of.

8. Consequently, Criminal Petition is allowed, and the case against the Petitioners/Accused Nos.1 to 3 in C.C.No.110 of 2020 on the file of 'the learned Trial Court' is hereby quashed.

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

Dr. Y. LAKSHMANA RAO,J

Date : 24.04.2026
PRA

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THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

I.A.Nos.2 & 3 of 2026
In/And
CRIMINAL PETITION NO: 3362/2026

Date: 24.04.2026

PRA