

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

TUESDAY, THE TWENTY EIGHTH DAY OF APRIL

TWO THOUSAND AND TWENTY SIX

: PRESENT:

THE HONOURABLE SRI JUSTICE SUBHENDU SAMANTA

CRIMINAL PETITION NO: 3415 OF 2026



Between:

Shaik Khaja Moinuddin, S/o. Mohammad Shariff, aged about 57 years, R/o. D.No. 3-104, Pedavadlapudi v, MangalagiriGuntur, Andhra Pradesh 522503.

Petitioner/Accused

AND

1. The State of Andhra Pradesh, Rep. by its Public Prosecutor, High Court of Andhra Pradesh, Amaravathi.

Respondent

2. The Joint Sub-Registrar, Office at Sub-Registrar Office, Kankipadu Krishna District -

Respondent/Complainant

Petition under Section 528 of BNSS is filed praying that in the circumstances stated in the grounds filed in support of the Criminal Petition, the High Court may be pleased to quash the proceedings in FIR No.159 of 2025, u/s, 217, 319 (2) r/w 3(5) of BNS and under Section 82 of the Indian Registration Act, 1908 against the Petitioner/Accused No.1, on the file of Kankipadu Police Station, Krishna district.

IA NO: 2 OF 2026

Petition under Section 528 of BNSS is filed praying that in the circumstances stated in the grounds filed in support of the petition, the High Court may be pleased to Stay all further proceedings in connection with Crime No.159 of 2025 pending on the file of Kankipadu Police Station, Krishna, dt.18.06.2025, Pending disposal of CRLP No.3415 of 2026, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of Sri Unnam Akhil Chowdary, Advocate for the Petitioner, and of Public Prosecutor for the Respondent No.1, and the Court made the following.

ORDER

The instant Criminal Petition has been filed seeking quashing the proceedings in F.I.R.No.159 of 2025 pending on the file of Kankipadu Police Station, Krishna District for the offences punishable under section 217, 319(2) r/w 3(5) of Bharathiya Nyaya Sanhita, 2023¹ and section 82 of Indian Registration Act, 1908²

The present petitioner was arrayed as Accused No.1. Learned counsel for the petitioner submits that he purchased the property after verifying all relevant documents. Subsequently, from the information of local police station he came to know about registration the instant F.I.R.No.159 of 2025

¹ The BNS, 2023

² The I.A. Act, 1908

It is the contention of the learned counsel for the petitioner that Joint Registrar has lodged F.I.R. without adhering to a specific enquiry of the Registrar.

The learned Assistant Public Prosecutor submits that there is prima facie material against the present petitioner to lodge the instant F.I.R. No. 159 of 2025.

Having heard learned counsel for the parties. It appears there is Prima-facie justification to entertain the present Criminal Petition. Accordingly, the present Criminal Petition is admitted.

Learned Assistant Public Prosecutor is permitted to take notice in respect of respondent Nos.1 and 2.

Let the matter be posted for hearing.

Since the matter is at the stage of admission, accordingly, I think it is not necessary to pass an interim order of stay of the entire proceedings. However, the authorities shall not take coercive steps against the petitioner until further orders.

List the matter after Summer Vacation, 2026.

//TRUE COPY//

SD/- U.SRIDEVI
DEPUTY REGISTRAR
SECTION OFFICER

To,

1. The Station House Officer, Kankipadu Police Station, Krishna District
2. The Joint Sub-Registrar, Office at Sub-Registrar Office, Kankipadu
Krishna District - (by RPAD)
3. One CC to Sri Unnam Akhil Chowdary, Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court of Andhra Pradesh [OUT]
5. One spare copy

HIGH COURT

SS, J

DATED: 28/04/2026

LIST THE MATTER AFTER SUMMER VACATION - 2026

ORDER

CRLP.No.3415 of 2026

INTERIM STAY

