



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

**[3327]**

WEDNESDAY, THE EIGHTH DAY OF APRIL  
TWO THOUSAND AND TWENTY SIX

**PRESENT**

**THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY**

**CRIMINAL PETITION NO: 3423/2022**

**Between:**

Gompa Nooka Raju and Others ...**PETITIONER/ACCUSED(S)**

**AND**

State Of Andhra Pradesh ...**RESPONDENT/COMPLAINANT(S)**  
and Others

**Counsel for the Petitioner/accused(S):**

1. BALA KRISHNA MANDAPATI

**Counsel for the Respondent/complainant(S):**

1. PUBLIC PROSECUTOR (AP)

2. KARUPOLU NARASIMHA RAO

**The Court made the following ORDER:**

This Criminal Petition, under Section 482 Cr.P.C., has been filed on behalf of the petitioners/A1 to A4, seeking to quash the proceedings in C.C.No.329 of 2020 on the file of the learned Special Mobile Judicial First Class Magistrate, Kakinada (Crime No.36 of 2020 of Sarpavaram Police Station), registered for the

offences punishable under Sections 498-A, 506 read with 34 IPC and Section 4 of Dowry Prohibition Act.

2. It is represented that both the parties have settled the dispute amicably out of the Court at the intervention of their elders and well wishers and have entered into Memorandum of Understanding (MOU). In view of the settlement arrived between both the parties, they filed a memo seeking to dispose of the present criminal petition.

3. Today, when the matter is taken up, 4<sup>th</sup> petitioner herein/A4 and 2<sup>nd</sup> respondent/*de facto* complainant are present before this Court. They produced their Aadhar cards in proof of their identity. Learned counsel for the petitioners and the learned counsel for 2<sup>nd</sup> respondent have identified the parties in the open Court. This Court has questioned the *de facto* complainant with regard to compromise and she has categorically stated that she has voluntarily entered into compromise with the petitioners/A1 to A4 herein.

4. In *Gian Singh v. State of Punjab & another*,<sup>1</sup> the Hon'ble Apex court held thus: (para 57)

"The position that emerges from the above discussion can be summarised thus: the power of the High Court in quashing a criminal proceeding or FIR or complaint in exercise of its inherent jurisdiction is distinct and different from the power given to a criminal court for compounding the offences Under Section 320 of the

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<sup>1</sup> 2012 (9) Scale 257

Code. Inherent power is of wide plenitude with no statutory limitation but it has to be exercised in accord with the guideline engrafted in such power viz; (i) to secure the ends of justice or (ii) to prevent abuse of the process of any Court. In what cases power to quash the criminal proceeding or complaint or F.I.R may be exercised where the offender and victim have settled their dispute would depend on the facts and circumstances of each case and no category can be prescribed. However, before exercise of such power, the High Court must have due regard to the nature and gravity of the crime. Heinous and serious offences of mental depravity or offences like murder, rape, dacoity, etc. cannot be fittingly quashed even though the victim or victim's family and the offender have settled the dispute. Such offences are not private in nature and have serious impact on society. Similarly, any compromise between the victim and offender in relation to the offences under special statutes like Prevention of Corruption Act or the offences committed by public servants while working in that capacity etc; cannot provide for any basis for quashing criminal proceedings involving such offences. But the criminal cases having overwhelmingly and pre-dominantly civil favour stand on different footing for the purposes of quashing, particularly the offences arising from commercial, financial, mercantile, civil, partnership or such like transactions or the offences

arising out of matrimony relating to dowry, etc. or the family disputes where the wrong is basically private or personal in nature and the parties have resolved their entire dispute. In this category of cases, High Court may quash criminal proceedings if in its view, because of the compromise between the offender and victim, the possibility of conviction is remote and bleak and continuation of criminal case would put accused to great oppression and prejudice and extreme injustice would be caused to him by not quashing the criminal case despite full and complete settlement and compromise with the victim. In other words, the High Court must consider whether it would be unfair or contrary to the interest of justice to continue with the criminal proceeding or continuation of the criminal proceeding would tantamount to abuse of process of law despite settlement and compromise between the victim and wrongdoer and whether to secure the ends of justice, it is appropriate that criminal case is put to an end and if the answer to the above question(s) is in affirmative, the High Court shall be well within its jurisdiction to quash the criminal proceeding.”

5. This Court is satisfied with the identification of the parties and voluntariness in arriving at the compromise. As the parties have entered into a compromise and compounded the offences, the chance of conviction is bleak and remote. Therefore, in view

of the compromise between the parties, continuation of the impugned proceedings is nothing but abuse of process of Court.

6. Accordingly, this Criminal Petition is allowed and the proceedings in C.C.No.329 of 2020 on the file of the learned Special Mobile Judicial First Class Magistrate, Kakinada, against the petitioners herein/A1 to A4 are hereby quashed.

7. As a sequel thereto, the miscellaneous applications, if any, pending in this Criminal Petition shall stand closed.

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**K. SREENIVASA REDDY, J**

Date:08.04.2026  
JLV

121

**HON'BLE SRI JUSTICE K. SREENIVASA REDDY**

**Criminal Petition No.3423 of 2022**

Date:08.04.2026

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