

HIGH COURT OF ANDHRA PRADESH :: AMARAVATI

MAIN CASE No: Crl.P.Nos.5256 and 5293 of 2026

PROCEEDING SHEET

<u>SL. NO.</u>	<u>DATE</u>	<u>ORDER</u>	<u>OFFICE NOTE</u>
02.	01.07.2026	<u>Dr.YLR, J</u> Heard Sri P. Sudhakar Reddy, learned Senior Counsel appearing on behalf of Sri Sudharshan Reddy Jalla, learned counsel for the Petitioners; Sri C. Raghu, learned Senior Counsel appearing on behalf of Sri Sripathi Ravi Teja, learned counsel for the Petitioners; and Sri M. Lakshminarayana, learned Public Prosecutor. Issued notice to the unofficial Respondents in the two petitions. The learned Counsel for the Petitioners is permitted to take out personal notice to the unofficial Respondents and file proof to that effect. The learned Public Prosecutor is directed to take out notice contemplated under Section 15A(3) of the SC/ST (PoA) Act on the de-facto complainant/victim. Sri M. Lakshminarayana, learned Public	<i>Contd...</i>

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	01.07.2026	Prosecutor while opposing the grant any relief whatsoever relies on the judgment of the Hon'ble Apex Court in Practical Solutions Inc. v. State of Telangana¹, wherein at paragraph Nos.9, 11 and 12 it is held as under: “9. We are inclined to set aside the impugned order and remit the matter to the High Court with a direction that let the appellant before us (Defacto complainant) be heard and thereafter the High Court may pass a fresh order. 11. However, we make it clear that till the High Court decides afresh, no coercive steps be taken against the respondent nos. 2 and 3, respectively, before us. 12. We also take notice of the fact that infact the petition before the High Court was to quash the FIR. In a petition where quashing of the FIR is prayed for, the High Court should not have passed an order directing the Investigating Officer to comply with Section 41-A of the Criminal Procedure Code, 1973 (for short, "the Cr. P.C.) because it indirectly amounts to granting a relief which High Court could have considered only if a prima facie case for quashing of the FIR is made out.” The learned Public Prosecutor has also relied on a decision of the Allahabad High Court in Shaukin v. State of U.P², wherein at paragraph No.6 it is held as under: “6. We have further clarified that there may be cases where the accused has not been	Contd...

¹ 2026 SCC Online SC 923

² 2012 SCC OnLine All 933

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³(2014) 8 SCC 273

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⁴ Special Leave Petition (Crl.) No.5191 of 2021, dated 15.01.2026

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⁵ 2025 SCC Online SC 1157

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