

APHC010509522025



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

[3396]

THURSDAY, THE NINTH DAY OF OCTOBER

TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE DR. JUSTICE VENKATA JYOTHIRMAI PRATAPA

I.A.Nos.2 and 3 of 2025

IN/AND

CRIMINAL PETITION NO: 10025/2025

Between:

- 1.V KRISHNAMURTHY, S/O M.VENKATADRI, AGED ABOUT 39 YEARS,OCCUPATION CULTIVATION D.NO.7-92, ANCHANAYAKUPPAM VILLAGE,H/O SIVARAMAPURAM, SANTHIPURAM MANDAL,CELL 9542341339, CHITTOOR DISTRICT.AADHARNO. 361863577912.
- 2.D DASU, S/O. DHANASEKHAR, AGED ABOUT 55 YEARS, OCC PAINTER,D.NO.2-36, SREE RANGAMPALLE VILLAGE,H/O PAPISETTIPALLI, GUDIPALA MANDAL,CHITTOOR DISTRICT.AADHAR 545741509289
- 3.S PARAMESWARAN, S/O. SRINIVASAN, AGED ABOUT 43 YEARS,OCC EX POLICE MAN,D.NO.60, SUBBARAYAN 5TH STREET, NARNMALWAR PET,PERAMBURU BARRACKS, CHENNAI, TAMIL NADU STATE-600012.CELL 9498128835 AADHAR 363200967827.
- 4.S NAGARAJU, S/O. LATE S.MURUGAIAH, AGED ABOUT 33 YEARS, OCC COOLIE, R/O. NALLASIDDANAPALLI VILLAGE, GUNDLAKATTAMANCHI,BANGARUPALYAM MANDAL, CHITTOOR DISTRICT. CELL 6301830017AADHAR 334555735305

...PETITIONER/ACCUSED(S)

AND

- 1.THE STATE OF ANDHRA PRADESH, REP. BY ITS PUBLIC PROSECUTOR,HIGH COURT OF A.P., AMARAVATHI THROUGH SHO, RALLABUDUGUR POLICE STATION, CHITTOOR DISTRICT
- 2.K SUBRAMANYAM, S/O. KRISHNAPPA, AGED ABOUT 49 YEARS, OCC. DRIVER, R/O. H.NO.4-51, DONKUMANAPALLI VILLAGE,H/O. THUMMISI, SANTHIPURAM MANDAL, CHITTOOR DISTRICT.CELL 9676227757.AADHAR NO.715967964948.
- 3.K MANJULA ALIAS S MAJULA, W/O. K. SUBRAMANYAM, AGED ABOUT 40 YEARS, OCC. CLOTH BUSINESS,R/O. H.NO.4-51, DONKUMANAPALLI VILLAGE,H/O. THUMMISI, SANTHIPURAM MANDAL, CHITTOOR DISTRICT.AADHAR NO.519162275067.

...RESPONDENT/COMPLAINANT(S):

Counsel for the Petitioner/accused(S):

1.SURESH KUMAR REDDY KALAVA

Counsel for the Respondent/complainant(S):

1.Y V S S DHARANEESH

2.PUBLIC PROSECUTOR

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

The instant petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') has been filed by the Petitioners / Accused Nos.1, 2, 3 and 5, seeking to quash the proceedings against them in C.C.No.888 of 2021 on the file of the Court of Judicial First Class Magistrate, Kuppam for the offences under Sections 341, 342, 363, 419, and 385 read with 34 of Indian Penal Code (for short 'IPC').

2. I.A.Nos.2 and 3 of 2025 are filed by Respondent Nos.2 and 3 seeking permission to compound the offences and to record the compromise between them and the Petitioners/Accused Nos.1, 2, 3 & 5.

3. Petitioners/Accused Nos.1, 2, 3 and 5 and Respondent Nos.2 and 3 appeared before this Court and were identified by their respective learned counsel. Copies of their Aadhar cards attested by their respective counsel are filed for proper identification.

4. Both parties would submit that they came to an amicable settlement for withdrawal of the case in C.C.No.888 of 2021 on the file of the Court of Judicial First Class Magistrate, Kuppam pending between

them and a Joint Memo is also filed to that effect. Respondent Nos.2 and 3 would submit that, only to settle the financial disputes with the Accused, they have lodged a case for the alleged offences. It is further submitted that, in fact, there is no such incident occurred except the existence of financial transactions between them. They would further submit that at the intervention of elders on both sides, the matter has been settled between the parties and that they do not want to prosecute the matter, and hence, the case against the Petitioners may be closed.

5. Having lodged the complaint in the year 2021 for the alleged offences and prosecuting the matter for the last four years by moving the Police and the Judiciary, Respondent Nos.2 and 3 have come with the proposed settlement stating that, only to settle the financial disputes with the Accused, they have lodged a case for the alleged offences. In such circumstances, this Court is of the view that the petition is liable to be allowed on payment of costs by Respondent Nos.2 and 3.

6. Considering the submissions, in the light of the judgment of the Hon'ble Apex Court in ***Gian Singh vs. State of Punjab and another***¹, in terms of the compromise between the parties, since there is an amicable settlement between them and this case has been registered in the year 2021, Police took up due investigation, filed charge sheet and the Court has taken cognizance of the alleged offences, I.A.Nos.2 and 3 of 2025 are allowed. Consequently, the Criminal Petition is allowed and the case

¹ 2012(10)SCC 303

against the Petitioners / Accused Nos.1, 2, 3 and 5 in C.C.No.888 of 2021 on the file of the Court of Judicial First Class Magistrate, Kuppam for the offences under Sections 341, 342, 363, 419, and 385 read with 34 IPC, is hereby quashed, on payment of costs of Rs.20,000/- by Respondent Nos.2 and 3 to the A.P.High Court Employees' Association.

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

Date:09.10.2025
Dinesh

Dr.JUSTICE VENKATA JYOTHIRMAI PRATAPA

HON'BLE DR. JUSTICE VENKATA JYOTHIRMAI PRATAPA

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