

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**FRIDAY, THE FIRST DAY OF MAY
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 5658 OF 2026

Between:

Smt. Velavarthipati Karuna Priyadarshini, W/o. V. Mallikarjuna Sarma Aged about 52 years, Occ.Govt. Employee, R/o Plot No. 13/A, Old Vasavi nagar, Karkhana (A4)

...PETITIONER/ACCUSED

AND

1. State of Telangana,, Rep by P S Begumpet, Through Public Prosecutor High Court of Telangana, At Hyderabad.

...RESPONDENT

2. Sri. Dendi Chakradhar Reddy, S/o Late D. Srinivas Reddy, Aged about 60 years, Occ Business, R/o Flat No. 205, Polaris Meenakshi Sky Lounge, Kondapur, Hyderabad.

...RESPONDENT/COMPLAINANTS

Petition under Section 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to quash CC. No. 3827 of 2021 on the file of XI Addl Chief Metropolitan Magistrate, at Secunderabad.

I.A. NO: 2 OF 2026

Petition under Section 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to stay all further proceedings pursuant to CC. No. 3827 of 2021 on the file of Hon'ble XI Addl Chief Metropolitan Magistrate, at Secunderabad.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Chetluru Sreenivas, Advocate for the Petitioner and Sri Jithender Rao Veeramalla, Additional Public Prosecutor on behalf of the Respondent No. 1.

The Court made the following: ORDER

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No. 5658 of 2026

DATE: 01.05.2026

Between :

Smt. Velavarthipati Karuna Priyadarshini

....Petitioner/accused No.4

AND

The State of Telangana and another.

....Respondents

: O R D E R :

This Criminal Petition has been filed by the petitioner/accused No.4 seeking to quash the proceedings in C.C.No.3827 of 2021 on the file of the XI Additional Chief Metropolitan Magistrate Secunderabad, for the offences under Sections 120(B), 406, 409, 419, 420, 468, 471 and 43 read with 66, 66(C & D) of IT Act, 2008.

2. Heard Mr. Chetluru Sreenivas, learned counsel for the petitioner, and Mr. Jithender Rao Veeramalla, learned Additional Public Prosecutor, appearing on behalf of respondent No.1.

3. Learned counsel for the petitioner submitted that pursuant to the order 16.04.2026, he sent personal notice to respondent No.2 by way of speed post and filed a Memo, *vide* USR No.57178 of 2026, before the Registry on 01.05.2026. He further submitted that the said notice was

returned with a postal endorsement 'unclaimed'. As per Section 27 of the General Clauses Act, 1897, 'unclaimed' amounts to deemed service.

3.1. He further submitted that accused Nos.1 to 3 and 5 approached this Court and filed Crl.P.No.4002 of 2022 seeking to quash the proceedings in the very same C.C.No.3827 of 2021, wherein the parties have entered compromise and this Court while recording the compromise compounded the offences and recorded the compromise and quashed the proceedings, by its order dated 01.08.2025. By virtue of quashing of the proceedings in respect of accused Nos.1 to 3 and 5, the continuation of the proceedings against the petitioner/accused No.4 is a clear abuse of the process of law, as the petitioner is very same allegations levelled against her.

4. Learned Additional Public Prosecutor has not disputed the above said submission.

5. Having considered the submissions made by the respective parties and upon perusal of the material available on record, it reveals that the petitioner was arrayed as accused No.4 in C.C.No.3827 of 2021. The record further reveals that accused Nos.1 to 3 and 5 approached this Court and filed Crl.P.No.4002 of 2022 seeking to quash the very same proceedings in C.C.No.3827 of 2021 and accused Nos.1 to 3 and 5 have entered into compromise and filed I.A.Nos.3 and 4 of 2022 before this Court to record compromise and to compound the offences respectively. This Court recorded the compromise on

01.08.2025 and quashed the proceedings against accused Nos.1 to 3 and 5.

6. In the decision of **Asian Paints and another v. State of Karnataka represented by Department of Weights and Measures** in Criminal Petition No.5119 of 2017 decided on 28.09.2022, the Karnataka High Court held that even if one of the accused were to compound an offence, the other accused can always approach the High Court under Section 482 of Cr.P.C.

7. In the judgment reported in **Kamal Kishore Biyani v. Shyam Sunder Bung and others**¹, it was held that there cannot be any compounding selectively against a particular accused. If the complainant compounds the offence, it is the offence that is compounded and not against the offender.

8. Though a reading of Section 320(8) may give an impression that compounding can be against a particular accused but the provision when read in its entirety, Section 320(1) and (2) are clear that an 'offence' can be compounded and compounding is not directed against a particular offender.

9. In view of the precedent judgments, once the offence has been compounded, the question of proceeding against this petitioner does not arise. The complainant cannot selectively make an application before a Court stating that he/she intends to compound the offence against one

¹ (2013) 2 ALD (CrL.) 460

accused and continue prosecution against another. It is apparent from Section 320 Cr.P.C that compounding would be of the offence and not against a particular offender. Hence, this Court is of the view that the continuation of the proceedings against the petitioner is a clear abuse of the process of law.

10. Accordingly, the Criminal Petition is allowed and the proceedings against the petitioner/accused No.4 in C.C.No.3827 of 2021 on the file of the XI Additional Chief Metropolitan Magistrate at Secunderabad, are hereby quashed.

Miscellaneous applications, pending if any, shall stand closed.

SD/-K BHAVANI SWAMY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The XI Additional Chief Metropolitan Magistrate at Secunderabad
2. The Station House Officer, Begumpet Police Station, Hyderabad
3. Two CCs to Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
4. One CC to Sri Chetluru Sreenivas, Advocate [OPUC]
5. Two CD Copies

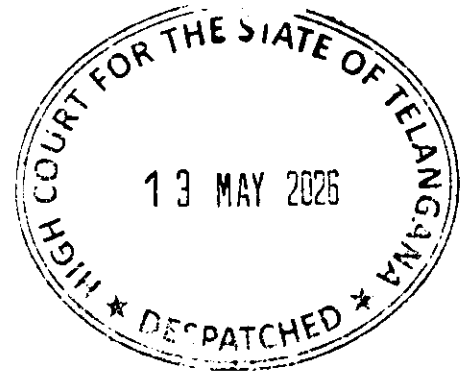
VH/GNK

HIGH COURT

DATED: 01/05/2026

ORDER

CRLP.No.5658 of 2026



**ALLOWING THE
CRIMINAL PETITION**

(S) MT
12/5/26