

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

**FRIDAY, THE THIRTIETH DAY OF DECEMBER
TWO THOUSAND AND TWENTY TWO
PRESENT**

THE HONOURABLE SRI JUSTICE K.SURENDER

**CRIMINAL PETITION NO: 10544 OF 2022
ALONG WITH I.A.Nos. 1 and 2 OF 2022**

I.A.Nos. 1 and 2 OF 2022

Between:

Gabbita Shivarama Krishna, S/o Nagamadhudhana Sastri, Age. 56 Years, Occ.
RTC Depot Manager, Suryapet R/o Hayathnagar, Hyderabad, Telangana

...RESPONDENTS/COMPLAINANT

AND

1. Tumimala Sai Charan, S/o Sainath, Age. 19 years, Occ. Student, R/o H. No. 33-
15-13, Kadiyala Street, Seetharamapuram, Vijayawada, Machavaram, Krishna
District, Andhra Pradesh ...PETITIONER/ACCUSED

2. The State of Telangana, Represented by its Public Prosecutor High Court, At
Hyderabad

...RESPONDENT/RESPONDENT

I.A. NO: 1 OF 2022

Petition under Section 320(6) of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to permit the De-facto Complainant/Respondent No. 2 to compromise the matter with the Accused/Petitioner for the offences u/s 354D and 506 of IPC in CC No. 52 of 2022 on the file of Honble Juvenile Justice Board, Nalgonda .

I.A. NO: 2 OF 2022

Petition under Section 320(2) of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to record the compromise in CC No. 52 of 2022 on the file of Hon'ble Juvenile Justice Board, Nalgonda against the matter with the Accused/ Petitioner for the offences u/s 354D .

CRIMINAL PETITION NO: 10544 OF 2022

Between:

Tummala Sai Charan, S/o Sainath, Age: 19 years, Occ. Student, P/o H, No 33-15-13, Kadiyala Street, Seetharamapuram, Vijayawada, Machavaram, Krishna District, Andhra Pradesh

...PETITIONER

AND

1. The State of Telangana, Represented by its Public Prosecutor High Court, At Hyderabad
2. Gabbita Shivarama Krishna, S/o Nagamadhudhana Sarin, Age: 56 Years, Occ. RTC Depot Manager, Suryapet R/o Hayathnagar, Hyderabad, Telangana

...RESPONDENTS/COMPLAINANT

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to quash the proceedings in CC No. 52 of 2022 before the Hon'ble Court of Juvenile Justice Board, Nalgonda for the FIR No. 232 of 2021 in Suryapet Police Station.

These Petitions coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri K SARVA BHOUMA RAO Advocate for the Petitioners in Crl.Petition and Respondent No.1 in I.A.Nos. 1& 2 of 2022 and the Additional Public Prosecutor on behalf of the Respondent No.2 in I.A.Nos. 1& 2 of 2022 and Respondent No.1 in Crl.Petition and of Sri BHASKAR POLURI Advocate for the Respondent No. 2 in Crl.Petition and Petitioner in I.A.Nos. 1& 2 of 2022.

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K. SURENDER

CRIMINAL PETITION No.10544 OF 2022
ALONG WITH I.A.Nos.1 and 2 OF 2022

COMMON ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C., seeking to quash the proceedings in C.C.No.52 of 2022, on the file of Juvenile Justice Board, Nalgonda. The petitioner herein are accused in the said case. The offences alleged against the petitioners herein are under Section 354-D of I.P.C.

2. Heard learned counsel appearing on both sides and learned Additional Public Prosecutor for the State. Perused the record.

3. During the pendency of the present Criminal Petition, the parties have compromised the matter and, accordingly, respondent No.2-*de facto* complainant filed I.A.Nos.1 and 2 of 2022 to permit them to compound the offences and to compromise the case.

4. Vide order dated 05.12.2022, this Court, after recording the submissions made by the learned counsel for the petitioner as well as respondent No.2, directed the parties to appear before the Secretary, Telangana High Court Legal Services

Committee, Hyderabad, for their identification and also directed the Secretary to submit a report by 15.12.2022. In compliance with the said order, the Secretary has submitted his report, on 14.12.2022.

5. In the report of the Secretary, Telangana High Court Legal Services Committee, Hyderabad, it is stated that in obedience of the orders dated 05.12.2022, the petitioner and the 2nd respondent have appeared before him along with their counsel and on examination and verification of their particulars from their Aadhar Cards, they were tallied. Thus the identification of both the parties has been established.

6. The parties herein have filed a joint memo of compromise stating that they have agreed among themselves to compromise and resolve all the disputes, they have settled the disputes between them amicably and 2nd respondent has no objection to quash the proceedings against the petitioner herein in the above Calendar Case. The said joint memo of compromise and the report of the Secretary are placed on record.

7. In view of the said report of the Secretary, Telangana High Court Legal Services Committee, Hyderabad and also in view of

the compromise entered between the petitioner and respondent No.2, I.A.Nos.1 and 2 of 2022 are allowed. Consequently, the Criminal Petition is allowed and the proceedings in C.C.No.52 of 2022, on the file of Juvenile Justice Board, Nalgonda, against the petitioner-Accused are hereby quashed, petitioner have undertaken to pay an amount of Rs.10,000/- (Rupees Ten Thousand Only) in favour of Director, Sainik Welfare, Hyderabad, (Savings A/c.No. **52188926279**, State Bank of India, Shantinagar Branch & 20070, IFSC Code: SBIN0020070, MICR No. 500004057), within a period of one week from today, and file proof of the same into the Registry.

As a sequel, the miscellaneous Petitions, pending if any, shall stand closed.

//TRUE COPY//

Sd/- G. SIREESHA
ASSISTANT REGISTRAR

GP
SECTION OFFICER

To,

1. The Juvenile Justice Board, Nalgonda .
2. The Station House Officer , Suryapet I Town Police Station , Suryapet.
3. Two CCs to Additional Public Prosecutor, High Court for the State of Telangana, at Hyderabad (OUT)
4. One CC to SRI. K SARVA BHOUMA RAO Advocate [OPUC]
5. One CC to SRI. BHASKAR POLURI Advocate [OPUC]
6. The Secretary ,Telangana High Courts Advocate Association, Hyderabad.
7. Two CD Copies

(along with a copy of Joint memo of compromise)

Cost Memo:

Note: Amount paid by Petitioner/accused , towards 10,000/- (Ten Thousand Only) in favour of Director, Sainik Welfare, Hyderabad, (Savings A/c.No. 52188926279, State Bank of India, Santinagar Branch(20070), IFSC Code-SBIN0020070,MICR No.500004057.

USRNo. 872/2023 date: 30/12/2022

HIGH COURT

DATED:30/12/2022

COMMON ORDER

CRL.P.No.10544 of 2022

ALONG WITH I.A.Nos. 1 and 2 of 2022



ALLOWING THE CRIMINAL PETITION

10
[Signature]
06/02/2023

MEMORANDUM OF CRIMINAL MISC PETITION

{UNDER SEC. 320 (b) OF Cr.P.C.}

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD FOR THE STATE
OF TELANGANA AND THE STATE OF ANDHRA PRADESH

LA.No.

OF 2022

IN

CRL.P.No.

OF 2022

BETWEEN:

Gabhita Shivarama Krishna, S/o
Nagamadhudhana Sastri, Age: 56
Years, Occ: RTC Depot Manager,
Suryapet R/o Hayathnagar,
Hyderabad, Telangana

...Respondents/ Complainant

AND

1. Tummala Sai Churan, S/o Sainath, Age: 19
years, Occ: Student, R/o H. No. 33-15-13,
Kadiyala Street, Sectharamapuram,
Vijayawada, Machavaram, Krishna District,
Andhra Pradesh

...Petitioner/ Accused

2. The State of Telangana,
Represented by its Public Prosecutor,
High Court at Hyderabad

...Respondent/ Respondent

JOINT MEMO

That the Petitioner/ Accused and the De-facto-
Complainant/Respondent No. 2 herein have compromised the matter out of
the court with the intervention of elders and well wishers and in view of the

B

compromise, they do not want to further proceed with the case Crime No. 232 of 2021 dated 18.12.2021 on the file of Suryapet Police Station registered for offences u/s 354D and 506 of IPC, in CC No. 52 of 2022 on the file of Hon'ble Juvenile Justice Board, Nalgonda as such this Hon'ble Court may be pleased to record the Compromise accorded between the Petitioner /Accused and De facto Complainant/ Respondent No. 2 and quash the proceedings against the Petitioner/Accused in Crime No. 232 of 2021 dated 18.12.2021 on the file of Suryapet Police Station registered for offences u/s 354D and 506 of IPC, in CC No. 52 of 2022 on the file of Hon'ble Juvenile Justice Board, Nalgonda.

Hence This Memo

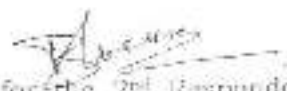

Tammala Sai Charu
ACCUSED


Gabbita Sivarama Krishna
COMPLAINANT


COUNSEL FOR THE PETITIONER/
ACCUSED


COUNSEL FOR THE
COMPLAINANT/ RESPONDENT NO. 2

Hyderabad,
Dt: 11.11.2022


Counsel for the 2nd Respondent

