

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

**FRIDAY, THE TWENTY NINTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SMT JUSTICE T.MADHAVI DEVI

I.A.Nos.3 AND 4 OF 2023

IN/AND

CRIMINAL PETITION NO: 12077 OF 2023

Between:

Gundluri Srinivas, S/o. Late Venkateshwara Rao, aged about 57 years, Occ-Business, R/o 10-2-289/56, Shanthi nagar, Masab tank, Hyderabad, TS - 500028.

...Petitioner/Accused

AND

1. The State of Telangana, Through SHO, Central Crime Station, Hyderabad, TS. Represented by its Public Prosecutor, High Court for the State of Telangana.
2. Samarla Venkata Lakshmi Sai Ranga Rao, S/o.Samarla Koteswara Rao, aged about 44 years, Occ- Business, R/o.22-C-9-12, Badeti Vari Street, Eluru, West Godavari, Andhra Pradesh - 534001.

...Respondents

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 call for records relating to CC.No.1300138/2017 on the file of the XII Additional Chief Metropolitan Magistrate, Hyderabad at Nampally, registered U/s.420, 468, 471, R/w.Sec.34 of IPC. and quash the proceedings therein against the Petitioner/Accused.

I.A. NO: 2 OF 2023

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 stay all further proceedings in CC.No.1300138/2017 on the file of the XII Additional Chief Metropolitan Magistrate, Hyderabad at Nampally, registered U/s.420, 468, 471, R/w.Sec.34 of IPC against the Petitioner/Accused.

I.A. NO: 3 OF 2023

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 petitioner to compromise the case in CC.No.1300138/2017, dated 13/04/2017 on the file of XII Addl. Chief Metropolitan Magistrate, Hyderabad at Nampally, in the interest of justice.

I.A. NO: 4 OF 2023

Between:

Samarla Venkata Lakshmi Sai Ranga Rao, S/o.Samarla Koteswara Rao, aged about 44 years, Occ- Business, R/o.22-C-9-12, Badeti Vari Street, Eluru, West Godavari, Andhra Pradesh - 534001

...Petitioner/Respondent No.2/ Defacto Complainant

AND

1. The State of Telangana, Through SHO, Central Crime Station, Hyderabad, TS. Represented by its Public Prosecutor, High Court for the State of Telangana.

...Respondent/Respondent

2. Gundluri Srinivas, S/o. Late Venkateshwara Rao, aged about 57 years, Occ-Business, R/o 10-2-289/56, Shanthi nagar, Masab tank, Hyderabad, TS - 500028.

...Respondent/Petitioner/Accused

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 quash the CC.No.1300138/2017, dated 13/04/2017 on the file of XII Addl. Chief Metropolitan Magistrate, Hyderabad at Nampally, by compounding the offence in terms of compromise in the interest of justice.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri C.H. JAYAKRISHNA, Advocate for the Petitioner and the Public Prosecutor on behalf of the Respondent No. and Smt. KOWLUR ARCHANA, Advocate for the Respondent No.2.

The Court made the following: COMMON ORDER

THE HON'BLE SMT. JUSTICE T. MADHAVI DEVI

I.A.Nos.3 and 4 of 2023

in/and

CRIMINAL PETITION No.12077 of 2023

COMMON ORDER:

It is submitted by learned counsel for the petitioner/accused and respondent No.2/*de facto* complainant that during pendency of the present Criminal Petition, the parties have compromised the matter and accordingly, I.A.Nos.3 and 4 of 2023 have been filed to record the compromise between them and to compound the alleged offences.

2. Vide order dated 08.12.2023 in Crl. Petition No.12077 of 2023, this Court directed the parties along with their respective counsel to appear before the Secretary, High Court Legal Services Committee, High Court for the State of Telangana, Hyderabad, for identification and to submit a report.

3. Pursuant to the above said direction issued by this Court, the Secretary, High Court Legal Services Committee, has identified the parties and submitted a report, dated 16.12.2023 and the same is placed on record.

4. In view of the above, I.A.Nos.3 and 4 of 2023 are allowed. Consequently, this Criminal Petition is allowed and the proceedings in C.C.No.1300138 of 2017 pending on the file of the XII Additional Chief Metropolitan Magistrate, Hyderabad at Nampally, against the petitioner/accused are hereby quashed subject to their paying an amount of Rs.5,000/- (Rupees Five Thousand Only) to the Director, Sainik Welfare, Hyderabad (Savings A/c.No.52188926279, State Bank of India, Shantinagar Branch (20070), IFSC Code: SBIN0020070, MICR No.500004057) and Rs.5,000/- (Rupees Five Thousand Only) to the Telangana High Court Advocates Association, Hyderabad, within a period of two (02) weeks from today and file proof of the same before the Registry.

Miscellaneous applications, if any pending, shall stand closed.

//TRUE COPY//

Sd/- C. PRAVEEN KUMAR
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The XII Additional Chief Metropolitan Magistrate, Hyderabad at Nampally
2. The Station House Officer, CCS Police Station, Hyderabad [OUT]
3. Two CCs to Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT]
4. One CC to Sri. C.H. JAYAKRISHNA, Advocate [OPUC]

5. One CC to Smt. KOWLUR ARCHANA, , Advocate [OPUC]
6. Two CD Copies

PSR

Along with a copy of Joint Memo of Compromise

NOTE: Amount paid by SRI. C.H. JAYA KRSIHNA, Counsel for the Petitioner towards Costs of Rs. 5,000/- (Rupees Five thousand only) directed by the Hon'ble Court, dated 29.12.2023 to the Director, Sainik Welfare, Hyderabad (Savings A/c.No.52188926279, State Bank of India, Shantinagar Branch (20070), IFSC Code: SBIN0020070, MICR NO.500004057 and an amount of Rs.5,000/- and filed Memo of Proof of Compliance USR.No.6094 of 2024 dated: 23.01.2024

NOTE: Amount paid by SRI. C.H. JAYA KRSIHNA, Counsel for the Petitioner towards Costs of Rs. 5,000/- (Rupees Five thousand only) directed by the Hon'ble Court, dated 29.12.2023 to the Telangana High Court Advocates Association, Hyderabad and an amount of Rs.5,000/- and filed Memo of Proof of Compliance USR.No. 6094 of 2024 dated: 23.01.2024



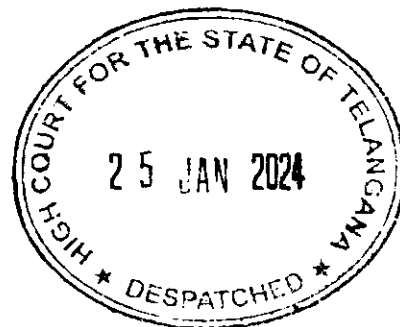
HIGH COURT

TMD, J

DATED:29/12/2023

COMMON ORDER

I.A.Nos.3 AND 4 OF 2023
IN/AND
CRLP.No.12077 of 2023



ALLOWING OF THE CRIMINAL PETITION.

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25/1/24

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OF 2023

OF 2023

...Petitioner//Respondent/Defacto Complainant

1. The State of Telangana
Through SHO, Central Crime Station, Hyderabad, TS.
Rep. by its Public Prosecutor,
High Court for the State of Telangana.Respondent/Respondent

....Respondent/Petitioner/Accused

May it please your lordship,

Annex

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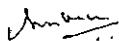


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for Offences Punishable Under Sec. 420, 468, 471, R/w.Sec.34 of
IPC and later the said Police have filed charge sheet vide
CC.No.1300138/2017, dated 13/04/2017 on the file of Hon'ble XII
Addl. Chief Metropolitan Magistrate, Hyderabad at Nampally.

2. I submit that with the intervention of the well wishers and
elders of the both parties, we have settled the matter amicably out
of the court. That due to the said reasons, I came forward to
withdraw the complaint for which I am also executed an Affidavit
stating that I am ready to withdraw the above said case.

3. It is submitted that the matter is settled out of the court, I
am ready to withdraw the case against the petitioners considering
all the above circumstances this Hon'ble Court may be pleased to
quash the proceedings in CC.No.1300138/2017, dated 13/04/2017
on the file of Hon'ble XII Addl. Chief Metropolitan Magistrate,
Hyderabad at Nampally, otherwise the petitioners and their family
members will suffer irreparable loss.

It is therefore prayed that this Hon'ble Court may be pleased
to record the compromise statement and quash the
CC.No.1300138/2017, dated 13/04/2017 on the file of Hon'ble XII
Addl. Chief Metropolitan Magistrate, Hyderabad at Nampally, in the



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interest of justice and pass such other order or orders may deem fit
and proper in the circumstances of the case.

Hence, this Joint Memo.

Hyderabad
DATE: 22/11/2023

Counsel for Petitioner/Defacto Complainant

Y. M. M.

Petitioner

Ch
Counsel for Respondent/Accused

G. X.

Respondent