

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

**TUESDAY, THE FOURTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SMT JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION NO: 10725 OF 2025

Between:

Pettugalla Linga Swamy, S/o. P. Bheernaiah, Aged 39 years, Occ: Business R/o. H No. 2-59, Velmakanne Village Munugode Mandal, Nalgonda Distirct -508253 And also R/o. Opp. to House No. 4-/9-40/P7, Priyadarshini Colony, Phase-1I, Hayathnagar, Ranga Reddy District - 501505.

...PETITIONER/ACCUSED

AND

1. The State of Telangana, Rep. by its Public Prosecutor, High Court at Hyderabad

...RESPONDENT

2. Sudarshi. Venkat Rao, S/o. Lakshmaiah, Aged 48 years, Occ: Business, R/o H No. 3-9-347, Plot N. 22, Saraswathingar Colony, L.B.Nagar, Ranga Reddy District - 500074.

...RESPONDENT/DEFACTO COMPLAINANT

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 the S.T.C.NI No. 15 of 2023 on the file of The IV Additional Metropolitan Magistrate Ranga Reddy District at L.B.Nagar by acquitting the petitioner /Accused

I.A. NO: 1 OF 2025

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 of all further proceedings in the S.T.C.NI No. 15 of 2023 on the file of The IV Additional Metropolitan Magistrate Ranga Reddy District at L.B.Nagar including personnel appearance of the petitioner pending disposal of the main quash petition

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri G ALLABAKASH, Advocate for the Petitioner and SRI. JITHENDER RAO

VEERAMALLA, Additional Public Prosecutor on behalf of the Respondent No.1
and of Sri S Viplav Simha Reddy for the Respondent No.2

The Court made the following: ORDER

THE HON'BLE SMT.JUSTICE TIRUMALA DEVI EADA

CRIMINAL PETITION No.10725 of 2025

ORDER:-

1. This Criminal Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 seeking the Court to quash the proceedings against the petitioner/accused in S.T.C.N.I.No.15 of 2023, pending on the file of the learned IV Additional Metropolitan Magistrate, Ranga Reddy District at L.B.Nagar, registered for the offence punishable under Section 138 of N.I.Act.
2. Heard Sri G.Allabakash, learned counsel for the petitioner/accused as well as Sri Jitender Rao Veeramalla, the learned Additional Public Prosecutor appearing for the respondent No.1- State.
3. Learned petitioner's counsel has submitted that the petitioner and the defacto complainant have already entered into compromise on 04.03.2024, but still the defacto complainant is continuing proceedings in the Trial Court and that since the compromise was already entered, he is not liable to pay any amount to the defacto complainant herein and hence prayed to quash the proceedings against the petitioner.

4. The learned counsel for respondent No.2 has submitted that the compromise deed alleged to have been executed is denied by the defacto complainant and that the petitioner herein is due to pay him towards the fulfillment of legally enforceable debt. Hence, the petition lacks merits and the same may be dismissed.

5. Perused the record. The STC.NI.No.15 of 2023 is pending before the Court of learned IV Additional Metropolitan Magistrate, Ranga Reddy District at L.B.Nagar, under NI Act. The contention of the petitioner's counsel is that compromise was entered on 04.03.2024 and that the petitioner is not due to pay any amount as alleged by the defacto complainant. In support of his contention, he has filed a copy of Memorandum of Understanding dated 04.03.2024, but the respondent counsel disputes the same. Since the document itself is in dispute and the counsel³ has further expressed their intention to send the said document to Forensic Science Laboratory, the probative value of the document shall be tested during the course of trial. Hence, it is not a fit case to quash the proceedings against the petitioner. However, the attendance of the petitioner before the Trial Court is dispensed with provided that the petitioner is represented through an Advocate on every date of

hearing and that he shall be present before the Trial Court whenever his presence is specifically required during the course of trial.

6. Accordingly, the Criminal Petition is disposed of.

7. Miscellaneous petitions pending, if any, shall stand closed.

SDY- T.SRINIVASA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The IV Additional Metropolitan Magistrate Ranga Reddy District at L.B.Nagar
2. The Station House Officer, Chaitanyapuri Police Station, Chaitanyapuri, Ranga Reddy District
3. One CC to SRI G ALLABAKASH Advocate [OPUC]
4. One CC to SRI S VIPLAV SIMHA REDDY Advocate [OPUC]
5. Two CCs to Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT]
6. Two CD Copies

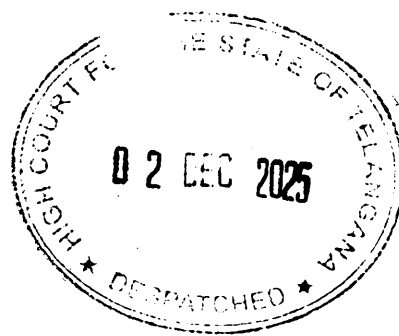
VM/PSL



HIGH COURT

DATED: 04/11/2025

ORDER
CRLP.No.10725 of 2025



DISPOSING THE CRIMINAL PETITION

⑨ 1/12/25
20/11/25