APHC010426332025

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3504]**
(Special Original Jurisdiction)

MONDAY, THE 5th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE MAHESWARA RAO KUNCHEAM

CRIMINAL PETITION NO: 8559/2025

Between:

1. LEBAKA RAJAMMA, W/O SRINIVASULU REDDY AGED ABOUT 55 YEARS, R/O NALLAPUREDDYPALLE VILLAGE, PENAGALURU MANDAL, ANNAMAIAH DISTRICT
2. LEBAKA SRINIVASULU REDDY, S/O L. YELLA REDDY AGED ABOUT 64 YEARS, R/O NALLAPUREDDYPALLE VILLAGE, PENAGALURU MANDAL, ANNAMAIAH DISTRICT
3. KOPPOLU GANGA DEVI, W/O BHASKAR REDDY AGED ABOUT 41 YEARS, R/O FLAT NO.401, 1ST A MAIN ROAD 6TH CROSS DODDANEKUNDI, GURURAJA LAYOUT, BANGALORE NORTH, KARNATAKA, 560037.

...PETITIONER/ACCUSED(S)

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PUBLIC PROSECUTOR, HIGH COURT, AT AMARAVATHI.
2. CHERUKUPALLI INDIRA, W/O SATYA NARAYANA REDDY, AGED ABOUT 49 YEARS, TADEPALLI VILLAGE, GUNTUR, ANDHRA PRADESH.

...RESPONDENT/COMPLAINANT(S):

Petition under Section 482 of Cr.P.C and 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 all the further proceedings in Cr. No. 170 of 2025 dated 05.08.2025 on the file of the Mahila UPS, Guntur, in the interests of justice.

IA NO: 1 OF 2025

Petition under Section 482 of Cr.P.C and 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to dispense with the certified copy of Cr. No. 170 of 2025 dated 05.08.2025 on the file of the Mahila UPS, Guntur, pending disposal of the criminal petition in the interests of justice.

IA NO: 2 OF 2025

Petition under Section 482 of Cr.P.C and 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to dispense with the presence/appearance of the petitioners, in Cr. No. 170 of 2025 dated 05.08.2025 on the file of the Mahila UPS, Guntur, pending disposal of the criminal petition in the interests of justice.

IA NO: 3 OF 2025

Petition under Section 482 of Cr.P.C and 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to grant stay of all the further proceedings, including arrest of the petitioners, in Cr. No. 170 of 2025 dated 05.08.2025 on the file of the Mahila UPS, Guntur, pending disposal of the criminal petition in the interests of justice.

IA NO: 1 OF 2026

Petition under Section 482 of Cr.P.C and 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition,the High Court may be pleased pleased to record the compromise and quash the proceedings in FIR No.170/2025 dt.05-08-2025 on the file of Mahila UPS, Guntur and pass

IA NO: 2 OF 2026

Petition under Section 482 of Cr.P.C and 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition,the High Court may be pleased pleased to grant permission to compound the offences taken cognizance under Section 85 BNS 3, 4 of Dowry Prohibition Act & 75(1) of BNS in FIR No.170/2025 dt.05-08-2025 on the file of Mahila UPS, Guntur and pass

Counsel for the Petitioner/accused(S):

1. C V R RUDRA PRASAD

Counsel for the Respondent/complainant(S):

1. PUBLIC PROSECUTOR
2. A SYAM SUNDAR REDDY

IA Nos.1 and 2 OF 2026

in/and

Criminal Petition No:8559 OF 2025

The Court made the following Common Order:

Instant Criminal Petition, under Section 528 of the Bharatiya Nagarik Suraksha Sanhitha, 2023, has been filed on behalf of the petitioners herein (A2, A3 & A5), seeking to quash the proceedings in FIR in Crime No.170 of 2025 of Mahila UPS, Guntur Police Station, Guntur District, registered for the offences punishable under Section 85 of the Bharatiya Nyaya Sanhita, 2023, Sections 3 & 4 of the Dowry Prohibition Act, 1961, and Section 75(1) of the Bharatiya Nyaya Sanhita, 2023.

2. It is represented that both the parties have settled the dispute amicably out of the Court at the intervention of their elders and well-wishers. In view of the settlement arrived between both the parties, they filed IA Nos.1 and 2 of 2026 seeking to permit them to compound the offences and to record the compromise.

3. It is stated by the 2nd respondent-*de facto* complainant in the affidavit filed in support of IA No.1 of 2026 that as per the advice of the well-wishers and family elders of both sides, she compromised the matter. She further stated in the affidavit that there is no coercion, force or misrepresentation from anybody in giving the said affidavit or in compounding the present case and out of her free will and wish, she was giving the affidavit.

4. Heard learned counsel for the petitioners, learned Assistant Public Prosecutor appearing on behalf of respondent No.1-State and learned counsel for respondent No.2.

5. In ***State of M.P. V. Laxmi Narayan*** [1], after perceiving the well-established principles, the Hon'ble Supreme Court held as under:

> **"15. Considering the law on the point and the other decisions of this Court on the point, referred to hereinabove, it is observed and held as under:**
>
> **15.1.** That the power conferred under Section 482 of the Code to quash the criminal proceedings for the non-compoundable offences under Section 320 of the Code can be exercised having overwhelmingly and predominantly the civil character, particularly those arising out of commercial transactions or arising out of matrimonial relationship or family disputes and when the parties have resolved the entire dispute amongst themselves;
>
> **15.2.** Such power is not to be exercised in those prosecutions which involved heinous and serious offences of mental depravity or offences like murder, rape, dacoity, etc. Such offences are not private in nature and have a serious impact on society;
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> **15.3.** Similarly, such power is not to be exercised for the offences under the special statutes like the Prevention of Corruption Act or the offences committed by public servants while working in that capacity are not to be quashed merely on the basis of compromise between the victim and the offender;
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> **15.4.** Offences under Section 307 IPC and the Arms Act, etc. would fall in the category of heinous and serious offences and therefore are to be treated as crime against the society and not against the individual alone, and therefore, the criminal proceedings for the offence under Section 307 IPC and/or the Arms Act, etc. which have a serious impact on the society cannot

[1](2019) 5 SCC 688

be quashed in exercise of powers under Section 482 of the Code, on the ground that the parties have resolved their entire dispute amongst themselves. However, the High Court would not rest its decision merely because there is a mention of Section 307 IPC in the FIR or the charge is framed under this provision. It would be open to the High Court to examine as to whether incorporation of Section 307 IPC is there for the sake of it or the prosecution has collected sufficient evidence, which if proved, would lead to framing the charge under Section 307 IPC. For this purpose, it would be open to the High Court to go by the nature of injury sustained, whether such injury is inflicted on the vital/delicate parts of the body, nature of weapons used, etc. However, such an exercise by the High Court would be permissible only after the evidence is collected after investigation and the charge-sheet is filed/charge is framed and/or during the trial. Such exercise is not permissible when the matter is still under investigation. Therefore, the ultimate conclusion in paras 29.6 and 29.7 of the decision of this Court in ***Narinder Singh***[2] should be read harmoniously and to be read as a whole and in the circumstances stated hereinabove;

15.5.[3] While exercising the power under Section 482 of the Code to quash the criminal proceedings in respect of non-compoundable offences, which are private in nature and do not have a serious impact on society, on the ground that there is a settlement/compromise between the victim and the offender, the High Court is required to consider the antecedents of the accused; the conduct of the accused, namely, whether the accused was absconding and why he was absconding, how he had managed with the complainant to enter into a compromise, etc."

6. In this context, Apex Court, by reiterating the principles in ***Ram Gopal Vs. State of M.P.***[4], in its vivid terms expressed as under:

19. We thus, sum up and hold that as opposed to Section 320 Cr.P.C where the Court is squarely guided by the compromise between the parties in respect of offences compoundable within the statutory framework the extraordinary power enjoined upon a High Court under Section 482 Cr.P.C or vested in this Court under Article 142 of Constitution, can be invoked beyond the metes and bounds of Section

[2] **[*Narinder Singh v. State of Punjab, (2014) 6 SCC 466 : (2014) 3 SCC (Cri) 54*]**
3 [Ed.: Para 15.5 corrected vide Official Corrigendum No. F.3/Ed.B.J./22/2019 dated 3-4-2019.].
[4]2024 (14) SCC 531

320 Cr.P.C. Nonetheless, we reiterate that such powers of wide amplitude ought to be exercise carefully in the context of quashing criminal proceedings bearing in mind:

19.1. Nature and effect of the offence on the conscience of the society;

19.2 Seriousness of injury, if any;

19.3 Voluntary nature of compromise between the accused and the victim; and

19.4 Conduct of the accused persons, prior to and after the occurrence of the purported offence and/or other relevant considerations."

7. Recently, Hon'ble Supreme Court in ***Naushey Ali and Others Vs. State of Uttar Pradesh and Another***[5], by dealing with law on the subject, in its clear words affirmed the above principles.

8. Today, when the case is called, both the parties are present before this Court. Learned counsel for the petitioner and learned counsel for respondent No.2 identified both the parties in the open Court. This Court questioned the *de facto* complainant with regard to compromise, and she has categorically stated that she has voluntarily entered into compromise with the petitioners herein.

9. It is pertinent to note that the present case arises out of a matrimonial dispute between the husband and wife. The husband is presently residing in the United States of America, whereas the wife is residing in Canada. Today, the *de facto* complainant, who is the mother of the wife, is present before this Court and has voluntarily expressed her free will and consent to quash the

[5] (2025) 4 SCC 78

proceedings in FIR in Crime No.170 of 2025 of Mahila UPS, Guntur Police Station, Guntur District, against the petitioners herein (A2, A3 & A5).

10. It is pertinent to note that, the main object of Section 498A proceeding is to prevent the criminal process from continuing when the dispute is essentially matrimonial and personal in nature and the parties have genuinely settled their differences. Although Section 498A is non-compoundable offence, the High Court can exercise its inherent powers under Section 482 Cr.P.C., to quash the proceedings in appropriate cases. The purpose is not to encourage compromise in genuine cases of cruelty, but to ensure that where the matrimonial dispute has been amicably resolved and the possibility of conviction is remote, continuing the criminal case does not result in unnecessary harassment or abuse of the process of law.

11. Keeping in view the overall facts and circumstances of the case, coupled with the nature of the offences, as no adverse antecedents or conduct was found against the accused, the parties on their free will and volition, willingly to put a quietus to all their disputes, which will advance peace and harmony among the parties. More so, the cause of administration of the criminal justice system would remain unaffected.

12. As such, this Court is inclined to invoke its power under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 corresponding to Section 482 Cr.P.C., in the present *lis*, this Criminal Petition is allowed, and proceedings in

FIR in Crime No.170 of 2025 of Mahila UPS, Guntur Police Station, Guntur District, against the petitioners herein (A2, A3 & A5), is hereby quashed.

13. Accordingly, I.A.Nos.1 and 2 of 2026 and Criminal Petition No.8559 of 2025 are allowed.

As a sequel, Interlocutory Applications pending, if any, shall stand closed.

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MAHESWARA RAO KUNCHEAM, J

Dated: 05.10.2026
MDP