APHC010581722026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI

TUESDAY, THE 3rd DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE MAHESWARA RAO KUNCHEAM

CRIMINAL PETITION NO: 9781 OF 2026

Between:

1. Lakkireddy Veera Siva Reddy Alias Kiran, S/o L. Venkata Subba Reddy, Aged about 30 years, R/o D.No.3-128, Arkatavemula village, Rajupalem Mandal, YSR Kadapa District
2. Lakkireddy Venkataramana Reddy, , S/o Venkata Konda Reddy, Aged about 55 years, R/o Arkatavemula Village, Rajupalem Mandal, YSR Kadapa District.

...Petitioners

AND

1. The State of Andhra Pradesh, ,Rep. by its Public Prosecutor, High Court at Amaravathi.
2. Lakkireddy Venkata Subba Reddy, S/o. Ramachandra Reddy Aged about 48 years, R/o Arkatavemula Village, Rajupalem Mandal, YSR Kadapa District.
3. Gopi Reddy Pullamma, , W/o Pedda Chowreddy, Aged about 60 years, R/o Arakatavemula Village, Rajupalem Mandal,YSR Kadapa District.

...Respondents

Petition under Section 437/438/439/482 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 grant stay of all further proceedings including appearance of the petitioners/Accused in PRC No.19 of 2026 on the file of 2nd ADDL. Judicial Magistrate of 1st Class, Proddatur, YSR Kadapa District, pending disposal of the main criminal petition,

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 dispense with filing of the Certified copy of the PRC No 19 of 2026 on the file of 2nd ADDL. Judicial Magistrate of 1st Class, Proddatur

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 stay of all further proceedings, including the appearance of the petitioners/Accused in PRC No.19 of 2026 on the file of 2nd ADDL. Judicial Magistrate of 1st Class, Proddatur, YSR Kadapa District, pending disposal of the main criminal petition

IA NO: 3 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 record the compromise by considering the affidavit of the 2nd and 3rd respondents and quash PRC No.19 of 2026 on the file of 2nd ADDL. Judicial Magistrate of 1st Class, Proddatur,

IA NO: 4 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 permit the compromise by considering the affidavit of the 2nd and 3rd respondents and quash PRC No.19 of 2026 on the file of 2nd ADDL. Judicial Magistrate of 1st Class, Proddatur

Counsel for the Petitioners: S DUSHYANTH REDDY

Counsel for the Respondents: PUBLIC PROSECUTOR

Counsel for the Respondents: P.M. MITHILESHWARA REDDY

THE HONOURABLE SRI JUSTICE MAHESWARA RAO KUNCHEAM

IA Nos.3 and 4 of 2026
in/and
Criminal Petition No.9781 of 2026

COMMON ORDER:

Instant Criminal Petition, under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, has been filed on behalf of the petitioners herein (A1 and A2), seeking to quash the proceedings in P.R.C.No.19 of 2026 on the file of II Additional Judicial Magistrate of First Class, Proddatur, registered for the offences punishable under Sections 118(1), 118(2), 109(1) and 351(2) read with 3(5) 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 at between both the parties, they filed I.A.Nos.3 and 4 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.3 of 2026 that, as per the advice of the well-wishers and family elders of both sides, de-facto complainant (LW-1) as well as LW-2 (injured) compromised the matter. He further stated in the affidavit (IA No.3 of 2026) that there is no coercion, force or misrepresentation from anybody in giving the said affidavit or in compounding the present case and out of their (LW-1 & LW-2) free will and wish, only. It is also brought to the notice of this

Court that Joint Memo dated 28.10.2026, has been filed by the respective parties reiterating their compromise.

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

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;*
>
> ***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*

[1](2019) 5 SCC 688

on the society cannot 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 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:

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[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

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. Thus, law is well settled that this Court, while exercising its inherent powers, quash the criminal proceedings by recording compromise.

9. Learned counsel for the petitioners submits that LW-1 is the informant, who received simple injuries and LW-2, who is a relative of LW-1 also received grievous injuries. He further states that the said injuries were not on vital parts of the body, and the injury relate to her left hand only. It is also brought to the notice of this Court that, LW-1 and LW-2 as well Accused persons, hails from rural background and all are relatives. It is further relevant to submit that in view of the pathway situated between properties belonging to both family members, criminal proceedings have been lodged.

10. Today, when the case is called, respective parties (LW-1, LW-2 as well Accused Nos.1 and 2) are present before this Court. Learned counsel for the petitioners and the learned counsel for respondent Nos.2 and 3 identified both the parties in the open Court. This Court questioned the de facto complainant

[5](2025) 4 SCC 78

(LW-1 and LW-2) with regard to compromise, and both categorically stated that they have voluntarily entered into compromise with the petitioners herein (A1 & A2). The relevant portion of the joint memo filed along with I.A.No.3 of 2026, is extracted hereunder:

> *"1. It is submitted that the petitioners filed the above Criminal Petition seeking to quash the PRC No.19 of 2026 on the file of 2nd ADDL. Judicial Magistrate of 1st Class, Proddatur which was registered basing on the complaint given by the 2nd respondent. At the advice of the elders on both sides, the 2nd respondent and 3rd respondent herein entered into the compromise with the petitioners. Hence, filing the compromise petition seeking to record the same and quash the PRC No.19 of 2026 on the file of 2nd ADDL. Judicial Magistrate of 1st Class, Proddatur."*

11. Keeping in view the overall facts and circumstances of the case, coupled with the fact that both parties are respective family members and also LW-1 received simple injuries and LW-2 received grievous injuries and not on vital parts, 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 P.R.C.No.19 of 2026 on the file of II Additional Judicial Magistrate of First Class, Proddatur, arsing out of FIR in Crime No.32 of 2026 of Rajupalem Police Station, YSR Kadapa District are hereby quashed.

13. Accordingly, I.A.Nos.3 and 4 of 2026 and Criminal Petition No.9781 of 2026 are allowed. The relevant compromise affidavits of de-facto complainant, along with the annexed documents thereto of the respective parties in the instant case, are made part of the record.

Interlocutory applications, if any, pending shall stand closed.

JUSTICE MAHESWARA RAO KUNCHEAM

Date: 03.11.2026
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THE HONOURABLE SRI JUSTICE MAHESWARA RAO KUNCHEAM

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in/and
Criminal Petition No:9781 OF 2026

Date:03.11.2026

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