SS,J
Crl.R.C.No. 1117 of 2008
Dated 28.10.2026

APHC010589002008

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3560]
(Special Original Jurisdiction)

WEDNESDAY, THE 28th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE SUBHENDU SAMANTA

CRIMINAL REVISION CASE NO: 1117 OF 2008

Between:

1. KOMMIREDDI RAMACHANDRA RAO, S/O DURGA RAO, PATTALAPURAM, NARSIMHARAOPET, ELURU, W.G.DIST.

...PETITIONER

AND

1. THE STATE OF A P, Rep. by the Public Prosecutor, High Court of A.P., Hyderabad. Through the S.H.O., Eluru II Town P.S., Eluru, W.G.Dist.

...RESPONDENT

Counsel for the Petitioner:

1. M HATHINDRA

Counsel for the Respondent:

1. CH B R P SEKHAR
2. PUBLIC PROSECUTOR

The Court made the following:

THE HONOURABLE SRI JUSTICE SUBHENDU SAMANTA

I.A.No.3 of 2026, I.A.No.4 of 2026 and I.A.No.5 of 2026

and

CRIMINAL REVISION CASE NO: 1117 OF 2008

COMMON ORDER:

Matter is taken up for hearing in the presence of Sri M.Hathindra, learned Counsel for Revision Petitioner, Sri CH.B.R.P. Sekhar, learned counsel for the defacto complainant-victim, who appeared virtually; and Sri P.Somayaji, learned Additional Public Prosecutor.

The victim, namely P.Venkatrao, son of P.Subba Rao is also present.

1. **I.A.No.3 of 2026**

This is an application filed to implead P.W.1-victim-Pattapu Venkatarao as Respondent No.2 in the instant Criminal Revision Case.

Heard learned Counsel on both sides.

It appears that the matter was settled outside the court.

They have placed on record a compromise petition stating that the offence punishable under section 324 of the Indian Penal Code may be compounded.

Considering the situation, I.A.No.3 of 2026 is ordered.

Victim namely, Pattapu Venkatarao, son of P.Subba Rao, be impleaded as Respondent No.2 in the instant Criminal Revision Case.

Office is directed to implead the name of victim as Respondent No.2.

2. **I.A.No.4 of 2026:**

This is an application filed seeking permission of this court to compromise the matter between the parties.

3. **I.A.No.5 of 2026:**

This is an application filed to record the compromise and to set aside the order of conviction passed against the petitioner.

4. **CRL.R.C.NO. 1117 of 2008**:

Heard learned Counsel for Petitioner, learned Additional Public Prosecutor and learned counsel for Respondent No.2-defacto complainant. Perused the applications.

5. It appears that the present petitioner was arrayed as an accused in C.C.No.545 of 2008 tried before learned II Additional Judicial magistrate of First Class, Eluru. After hearing and after conclusion of trial, learned Trial Judge found the petitioner guilty for the offence punishable under section 326 of the

Indian Penal Code. Accordingly, he was convicted for the said offence and sentenced to undergo Rigorous Imprisonment for a period of one year.

6. The order of conviction and sentence was challenged before the learned appellate court.

7. Learned Appellate Judge i.e., Principal Sessions Judge, Eluru, West Godavari District, after hearing the parties, has set aside the order of conviction for the offence under section 326 of the Indian Penal Code against the petitioner, but it was converted to offence punishable under section 324 of the Indian Penal Code, thereby, the petitioner was sentenced to undergo Rigorous Imprisonment for a period of six (06) months, with fine. Hence, this Criminal Revision Case has been preferred.

8. Learned Counsel for Revision Petitioner submits that during the entire period of enquiry, investigation, trial and also appeal period, the petitioner has already suffered incarceration for about five (05) months, till today the petitioner is in custody. He further submits that the matter was compromised between the parties outside the Court and in terms of compromise they have filed applications being I.A.No.4 of 2026 and I.A.No.5 of 2026. He further submits that since the matter was compromised, necessary order of compounding be passed.

Learned Additional Public Prosecutor submits that the appellate court convicted for the offence under section 324 of the Indian Penal Code and the same is compoundable at the behest of the victim.

9. Victim, namely, Pattapu Venkatarao appears in person before this court. On thorough enquiry, he personally submits that the dispute between the parties has been settled outside the court, they are residing peacefully in the locality and he has no objection, if the petitioner set free from all charges.

10. Having heard the learned Counsel for Petitioner and on perusal of I.A.No.5 of 2026, it appears that a joint memo of compromise was filed by the petitioner and the de-facto complainant. The de-facto complainant has signed in the joint memo, their signatures were duly attested by their respective counsel.

11. Considering the entire situation, I find no justification to disbelieve the compromise arrived at between the petitioner and the de-facto complainant. The offence punishable under section 324 of the Indian Penal Code is not compoundable, but regard being had to the attending scenario of this case and also considering approach of victim viz-a-viz period of incarceration of petitioner, I think it would be justified for this particular case to pass an order of compounding by exercising inherent power of this Court.

12. In the present case, P.Venkatrao is the victim who suffered personal injury by the attack of petitioner. Ever since the matter was compromised

between the parties, there is no legal impedement to record observation of compounding the offence.

13. Under the above observations, the order of conviction and sentence recorded against the petitioner for the offence punishable under section 324 of the Indian Penal Code is hereby compounded and set aside.

The Petitioner be released and set at liberty at once from the custody, if, he is not required in connection with other cases.

14. Accordingly, Criminal Revision Case is allowed and disposed of.

Consequently, pending miscellaneous applications, if any, shall stand closed.

JUSTICE SUBHENDU SAMANTA

Note: issue CC by 28.10.2026
B/o.
Dated 28.10.2026
KS

35

THE HONOURABLE SRI JUSTICE SUBHENDU SAMANTA

CRIMINAL REVISION CASE NO: 1117 OF 2008

Note: issue CC by 28.10.2026
B/o.
Dated 28.10.2026
KS