APHC010276082024

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3604]**
(Special Original Jurisdiction)

WEDNESDAY, THE 14th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SMT JUSTICE SUNITHA GANDHAM

CRIMINAL PETITION NO: 4468/2024

Between:

1. MOHAMAD ALI BASHA, S/O LATE KAMAL BASHA MOHAMAD. R/O PERMANENT RESIDENT OF D.NO.25-16-1 KOTHAPETA, PAMARRU VILLAGE, KRISHNA DISTRICT, ANDHRAPRADESH. CURRENT ADDRESS MOHAMAD ALI BASHA, S/O LATE KAMAL BASHA MOHAMAD, R/O NORTH LAKE ,TX76226, USA.

...PETITIONER/ACCUSED

AND

1. THE STATE OF AP, REP BY INSPECTOR OF POLICE DISHA UPS, KAKINADA P.S, KAKINADA/EAST GODAVARI DISTRICT, REP BY PUBLIC PROSECUTOR, HIGH COURT OF AP, AMARAVATHI.
2. SHAIK ABIDA, W/O MOHAMMAD ALI BASHA, AGED ABOUT 30 YEARS. MUSLIM, OCC HOUSE WIFE, R/O. H.NO.58-1-72, JAGANNADHAPURAM, MARKET KAKINADA, KAKINADA DISTRICT. ANDHRA PRADESH.

...RESPONDENT/COMPLAINANT(S):

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 may be pleased to call for the records relating to and connected with PRC.No.14 of 2024, in the court of the I additional J.F.C, MAGISTRATE, KAKINADA, Kakinada District (East Godavari District) and quash the same against the petitioner

IA NO: 1 OF 2024

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 stay of all further proceedings in PRC.No. 14 of 2024, in the court of the I ADDITIONAL J.F.C, MAGISTRATE, KAKINADA. Kakinada District (East Godavari District) including the personal appearance of the petitioners, pending the disposal of the main Criminal Petition, and such other order or orders as are deemed fit and pass

Counsel for the Petitioner/accused:

1. J M NAIDU

Counsel for the Respondent/complainant(S):

1. N SIVA REDDY
2. PUBLIC PROSECUTOR

The Court made the following:

THE HONOURABLE SMT JUSTICE SUNITHA GANDHAM

I.A.No.1 of 2026

In/and

CRIMINAL PETITION NO:4468 OF 2024

ORDER:

This criminal petition is filed by the petitioner/accused No.1 to quash the proceedings against him in P.R.C.No.14 of 2024 on the file of the learned I Additional Judicial Magistrate of First Class of the offences under Sections 498-A and 313 r/w 34 of the Indian Penal code (hereinafter referred to as 'the Code') and Section 3 and 4 of Dowry Prohibition Act.

2. Respondent No.2 filed petition in I.A.No.1 of 2026 seeking permission to compound the case on the ground that they have settled the disputes out of court and accordingly, entered into memorandum of understanding. Respondent No.2 has appended joint compromise memo.

3. Petitioner as well as respondent No.2 are present. Heard respondent No.2 personally and she submitted that the matter settled out of court and to that effect, they filed a petition in I.A.No.1 of 2026 and requested to quash these proceedings against the petitioner. Compared the names and details of petitioner as well as respondent No.2.

4. Heard learned counsel for the petitioner, respondent No.2 as well as learned Assistant Public Prosecutor.

5. The alleged offences are under Sections 498-A and 313 r/w 34 of the Code and Section 3 and 4 of Dowry Prohibition Act. It is needless to say that in view of the amicable settlement arrived at by both the parties, this court can give permission to both the parties to compound the matter as per the judgment of Apex Court in ***Jagdish Channa & Others v. State of Haryana & another[1], Shiji Vs. Radhika & Another***[2], **Narinder Singh & others Vs. State**

[1] AIR 2008 SC 1968

of Punjab[3] and **Anita Maria Dias and Another vs. State of Maharashtra and Anr**[4], even in non-compoundable cases, on the basis of compromise, criminal proceedings can be quashed to save the valuable time of the Court.

6. Having considered the submissions made by the respondent No.2, learned counsel for both parties and the principles laid down in the judgments cited *supra*, this court is of the considered view that permission may be granted to both parties to compound the matter as the main dispute is settled out of court amicably. Joint Compromise memo and memorandum of understanding/settlement shall form part of record. Accordingly, I.A.No.1 of 2026 is allowed.

7. **In the result**, and in view of the settlement between both the parties, this criminal petition No.4468 of 2023 is allowed quashing the proceedings in PRC No.14 of 2024 pending on the file of the learned I Additional Judicial Magistrate of First Class, Kakinada against the petitioner/accused No.1 of the offence under Sections 498-A and 313 read with Section 34 of the Code and Section 3 and 4 of Dowry Prohibition Act.

As a sequel thereto, pending miscellaneous petitions, if any, shall stand closed.

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SUNITHA GANDHAM, J

14.10.2026

vns

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[2] (2011) 10 SCC 705

[3] (2014) 6 SCC 466

[4] (2018) 3 SCC 290