APHC010434022024

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: 6949/2024

Between:

1. FARIAZ SULTANA, W/O ABDUL KAREEM, AGED ABOUT 31, MUSLIM, OCC HOUSE WIFE, R/O H.NO.74-6/5-5, NEHRU ROAD, VIJAYAWADA, KRISHNA DISTRICT, ANDHRA PRADESH.
2. MOHAMMED ANWAR BASHA,, W/O KAMAL BASHA MOHAMMAD, AGED ABOUT 37 YEARS, MUSLIM, OCC AGRICULTURE, R/O. H.NO.25-3, KOTHA PETA, PAMARRU, KRISHNA DISTRICT, ANDHRA PRADESH.
3. AMEETH MOHAMMAD ALIAS HAMEED MOHAMMAD,, S/O KAMAL BASHA MOHAMMAD, AGED ABOUT 35 YEARS, MUSLIM OCC PRIVATE EMPLOYEE, R/O. 9-4-62/90, NIZAM COLONY, TOLICHOWKI,HYDERABAD,TELANAGANASTATE.

...PETITIONER/ACCUSED(S)

AND

1. THE STATE OF ANDHRA PRADESH, REP BY INSPECTOR OF POLICE DISHA WOMENPS, 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 STREET, 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 Courtmay be pleased to call for the records relating to and connected with PRC.No. 14 of 2024, in the court of the I ADDITIONAL JUDICIAL FIRST CLASS, MAGISTRATE, cum I ADDITIONAL CIVIL JUDGE (JUNIOR DIVISION), AT KAKINADA, Kakinada District (East Godavari District) and quash the same against the petitioner and pass such

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 may be pleased to dispense with filing of certified copy of PRC.No.14 of 2024, in the court of the I ADDITIONAL JUDICIAL FIRST CLASS, MAGISTRATE, cum I ADDITIONAL CIVIL JUDGE (JUNIOR DIVISION), AT KAKINADA, Kakinada District (East Godavari District), and to pass such

IA NO: 2 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 may be pleased to stay of all further proceedings in PRC.No. 14 of 2024, in the court of the I ADDITIONAL JUDICIAL FIRST CLASS, MAGISTRATE cum I ADDITIONAL CIVIL JUDGE (JUNIOR DIVISION), AT KAKINADA, Kakinada District (East Godavari District), including the personal appearance of the petitioner, pending the disposal of the main Criminal Petition, and pass such

Counsel for the Petitioner/accused(S):

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

CRIMINAL PETITION NO:6949 OF 2024

ORDER:

This criminal petition is filed by the petitioner/accused Nos.3, 4 & 5 to quash the proceedings against them 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 in Crl.P.No.4468 of 2024 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. In the said petition, Respondent No.2 has appended joint compromise memo. As seen from joint compromise memo, respondent No.2 filed petition in I.A.No.1 of 2026 in Crl.P.No.4468 of 2024 along with Crl.P.Nos.8709 & 9319 of 2023 and Crl.P.Nos.6348 & 6949 of 2024 to compound all the cases against the petitioners.

3. Petitioners/accused Nos.3, 4 and 5 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 in Crl.P.No.4468 of 2024 which is filed by her husband seeking to quash the proceedings in P.R.C.No.14 of 2024 on the file of the I Additional Judicial Magistrate of First Class, Kakinada and requested to quash these proceedings also against the petitioners. Compared their names and details.

4. Heard learned counsel for the petitioners/accused Nos.3, 4 and 5, 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 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.

7. **In the result**, and in view of the settlement between both the parties, this criminal petition No.6949 of 2024 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 petitioners/accused Nos.3, 4 and 5 of offence under Sections 498-A and 313 read with Section 34 of the Code and Section 3 and 4 of Dowry Prohibition Act.

8. Registry is directed to place a copy of petition in I.A.No.1 of 2026 in Crl.P.No.4468 of 2024 in this petition.

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

SUNITHA GANDHAM, J

14.10.2026

Vns

[1] AIR 2008 SC 1968

[2] (2011) 10 SCC 705

[3] (2014) 6 SCC 466

[4] (2018) 3 SCC 290