APHC010535002025

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3521]**
(Special Original Jurisdiction)

THURSDAY, THE 15th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL REVISION CASE NO: 1135/2025

Between:

1. BADIGINENI SERVICE STATION,, REP. BY ITS PROPRIETOR, BADIGINENI PADMAJA, W/O. LATE VENKATEWARA RAO, HINDU, AGED ABOUT 53 YEARS, BUSINESS, RFO. G.4, BLOCK NO.8, PANCHAVATI APARTMENTS, PONNURU ROAD,GUNTUR, GUNTUR DISTRICT.
2. BADIGINENI PADMAJA,, W/O. LATE VENKATEWARARAO, HINDU, AGED ABOUT 53 YEARS. BUSINESS, R/O. G.4, BLOCK NO.8, PANCHAVATI APARTMENTS, PONNURUROAD,GUNTUR,GUNTURDISTRICT.

...PETITIONER(S)

AND

1. SISTLA SINIVASA MURTHY, S/O. SATYANARAYANA SARMA, HINDU, AGED 68 YEARS, R/O VILLA 8, MEENAKSHI VILLAS, 4TH LINE EXTENSION, A.T.AGRAHARAM, GUNTUR, PIN-522006.
2. THE STATE OF ANDHRA PRADESH, , REP BY ITS PUBLIC PROSECUTOR, HIGH COURT AT AMARAVATHI

...RESPONDENT(S):

Counsel for the Petitioner(S):

1. S SATYANARAYANA MOORTHY

Counsel for the Respondent(S):

1. PUBLIC PROSECUTOR
2. RAVINDRA KUMAR RAMARAJU

The Court made the following:

ORDER:

Petitioner No.1/Accused No.1 is an Service Station and it is represented by petitioner No.2/Accused No.2. Petitioner No.2 is not present because she is in the judicial custody as she could not pay the 20% of the cheque amount. She was sent to judicial custody by the learned Magistrate concerned.

2. Respondent No.1 is present and submitted that the matter is compromised between the parties.

I.A.No.2 of 2026

3. The application is filed seeking to record the compromise between the parties and in the present case. A joint memo is also filed by the Petitioner No.2 and 1st respondent for compromise.

4. For the reasons mentioned in the joint memo and affidavits, the petition is allowed permitting the petitioner to compromise the case. Accordingly, the I.A.No.2 of 2026 is allowed.

I.A.No.1 of 2026

5. The application is filed to permit the petitioner/respondent No.1 to compound the offence with the respondents/petitioner Nos. 1 and 2.

6. Considering the facts and circumstances of the case and in view of the settlement arrived at between the parties, the petitioner/respondent No.1 is permitted to compound the offence with the respondents/petitioners/accused

Nos.1 and 2. Accordingly, I.A. No. 1 of 2026 is allowed, permitting the petitioners to compound the offence with the respondent No.1.

7. The Hon'ble Apex Court in **Damodar S. Prabhu v. Sayed Babalal H**[1] observed that for compounding an offence under the provisions of the NI Act before the Revisional Court, i.e., the High Court, the petitioner is required to pay a certain amount towards costs. However, the Hon'ble Apex Court in **Madhya Pradesh State Legal Services Authority v. Prateek Jain**[2] relaxed the rigor of the judgment in **Damodar S. Prabhu** supra and observed that in appropriate cases, matters can be compounded at the revision stage either on payment of minimal costs or by waiving the costs in suitable cases.

8. The learned counsel for the petitioners submits that the petitioner No.2 is not able to pay 7.5% of the cheque amount as cost as she has been suffering from severe financial problems and health issues.

9. Considering the health condition of the petitioner, this Court is inclined to permit both parties to compromise the matter by waiving of the costs. The Criminal Revision Case is disposed of as compromised. The petitioner No.2 is acquitted under Section 320(8) of 'the Cr.P.C'.

10. In view of the above, I.A. Nos. 1 and 2 of 2026 are allowed, permitting both parties to compromise the case. Respondent No.1 is permitted to compound the offence with the petitioner

[1] (2010) 5 SCC 663
[2] (2014) 10 SCC 690

9. Accordingly, the I.A.Nos.1 and 2 of 2026 are allowed, and the Criminal Revision Case is disposed of as compromised by compounding the offence. Consequently, the conviction and sentence passed by the learned V Additional District and Sessions Judge, Guntur, in Crl.A.No.225 of 2022, dated 03.09.2025, confirming the Judgment dated 22.09.2022 in C.C.No.46 of 2017, on the file of the learned Special Judicial Magistrate of First Class for Prohibition and Excise, Guntur, are set aside, as a result, the petitioner No.2 is acquitted. There shall be no order as to costs.

As a sequel, interlocutory applications, if any pending, shall stand closed.

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Dr. Y. LAKSHMANA RAO, J

Dt: 15.10.2026
DRNR

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL REVISION CASE NO: 1135 OF 2026

15.10.2026

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