

[3168]

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

FRIDAY, THE TWENTY NINTH DAY OF APRIL
TWO THOUSAND AND TWENTY TWO

**PRESENT
THE HONOURABLE SRI JUSTICE K.LAKSHMAN**

**CRIMINAL PETITION NO: 8658 OF 2021
ALONG WITH I.A.NOS.1 AND 2 OF 2021**

I.A.NOS.1 AND 2 OF 2021:

Between:

1. M.V. Srinivasa Rao, S/o M. Rattaiah, Occ. Executive Director, Virinchi Helath care Pvt. Ltd., R/o Flat No. 310, Shanti Kuteer, Plot No. 35, Womens Co-Operative Society, Jubilee Hills, Hyd. - 35.
2. Dr. Dilip Gude, S/o Venkateswara Rao Gude, R/o H. No. 4-2-358, 107, Pride Residency, Behind Uday Hotel, Hanuman Tekdi, Hyderabad - 500 001.

.....Petitioners/ Respondents 2 & 3

And

1. Ms. Shashi Vangapalli, @ Sheshy Bhavani Vangapalli, D/o. Satyanarayana Vangapalli, Aged 34 years, Occ. Business, R/o. Flat No.101, Citizens Prime Rose Crest, Road No.7, Banjara Hills, Hyderabad.
2. Mythrayan K @ K Mythreya, S/o. Late Nagaraju, Aged 34 years, Occ. Business, R/o. Flat No.303, Kakatiya Hills, Kavuri Hills, Hyderabad.
3. Sandeep Sambavi, S/o. Jayaram Sambavi, Aged 35 years, Occ. Business, R/o. Flat No.101, Citizens Prime Rose Crest, Road No.7, Banjara Hills, Hyderabad.
4. R.Rajesh, S/o. Shashi, Aged. 32 Yrs., Occ. Business, R/o. Flat No.101, Citizens Prime Rose Crest, Road No.7, Banjara Hills, Hyderabad.
5. Kola Shivaji, S/o. Kola Satyanarayana, Aged 50 years, Occ. Driver, R/o. Road No.14, Nandhi Nagar, Banjara Hills, Hyderabad.
6. Anil Kumar @ Ashangar Anil, S/o. Ashangar Mahesh, Aged about 29 years, Occ. Pvt. Employee, R/o. 6-3-584/85/A, Gandhithatha Nagar, Khairathabad, Hyderabad.
7. Govind @ Garaga Govindu, S/o Garaga Apparao, Aged 31 years, Occ. Pvt. Employee, R/o.8-2-293/ 192/ 156, Sri Venkateshwara Nagar, Banjara Hills, Hyderabad.
8. Arjun @ Burka Arjun, S/o. Burka Kishan, Aged 48 years, Occ. Pvt. Employee, R/o. 13-3-603/A, Jiyaguda, Puranapool, Hyderabad.
9. Ram Kumar @ B Ram Bukar, S/o. Burka Kishan, Aged 36 years, Occ. Pvt. Employee, R/o. 13-3-603/A, Jiyaguda, Puranapool, Hyderabad.
10. Md. Imran, S/o. Md. Iqbal, Aged 36 years, Occ. Pvt. Employee, R/o. 13-3-603/A, Jiyaguda, Puranapool, Hyderabad.
11. G. Sathish @ Gadam Satyanarayana, S/o. Krishna Rao (Gadam Vijaya Bhaskara Krishna Rao), Aged 36 years, Occ. Pvt. Employee, R/o. 12-8-10/92/3/4, Bharathanagar, Kukatpally.
12. Murali @ Srikakulapu Venkara Murli, S/o. S Koteswara Rao, Aged 44 years, Occ. Pvt. Employee, R/o. Flat NBo.285, Vivekanandha Nagar Colony, Madhapur.

13. Zubair @ Syed Zubair, S/o. Syed Abdul, Aged 30 years, Occ. Pvt. Employee, R/o. 8-3-228/678/635, Karmikanagar, Yousafguda, Hyderabad.

...PETITIONER/ACCUSED NO.1 TO 4, 6, 7, 9, 11 TO 16

14. The State of Telangana, Through Station House Officer, Panjagutta P.S. Rep. by its Public Prosecutor, High Court of Telangana.

.....Respondent /1st Respondent

I.A. NO: 1 OF 2021

Petition under Section 320(6) of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to permit the petitioner to file the compounding petition for quashing the proceedings in CC No 9860 /2021 (Crime No. 240 of 2021 by Panjagutta Police Station) and pending on the file of the XIV Additional Chief Metropolitan Magistrate, At Nampally in the interest of justice.

I.A. NO: 2 OF 2021

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to compound the offence record to compromise and quash the proceedings against the petitioners in CC 9860 of 2021 (Crime No. 240 of 2021 by Panjagutta Police Station) on the file of XIV Addl CMM, Hyderabad in the interest of justice.

CRL.P.NO.8658 OF 2021:

Between:

1. Ms. Shashi Vangapalli @ Sheshy Bhavani Vangapalli, D/o. Satyanarayana Vangapalli, Aged 34 years, Occ. Business, R/o. Flat No.101, Citizens Prime Rose Crest, Road No.7, Banjara Hills, Hyderabad.
2. Mythrayan K @ K Mythreya, S/o. Late Nagaraju, Aged 34 years, Occ. Business, R/o. Flat No.303, Kakatiya Hills, Kavuri Hills, Hyderabad.
3. Sandeep Sambavi, S/o. Jayaram Sambavi, Aged 35 years, Occ. Business, R/o. Flat No.101, Citizens Prime Rose Crest, Road No.7, Banjara Hills, Hyderabad.
4. R.Rajesh, S/o. Shashi, Aged. 32 Yrs., Occ. Business, R/o. Flat No.101, Citizens Prime Rose Crest, Road No.7, Banjara Hills, Hyderabad.
5. Kola Shivaji, S/o. Kola Satyanarayana, Aged 50 years, Occ. Driver, R/o. Road No.14, Nandhi Nagar, Banjara Hills, Hyderabad.
6. Anil Kumar @ Ashangar Anil, S/o. Ashangar Mahesh, Aged about 29 years, Occ. Pvt. Employee, R/o. 6-3-584/85/A, Gandhithatha Nagar, Khairathabad, Hyderabad.
7. Govind @ Garaga Govindu, S/o Garaga Apparao, Aged 31 years, Occ. Pvt. Employee, R/o.8-2-293/ 192/ 156, Sri Venkateshwara Nagar, Banjara Hills, Hyderabad.
8. Arjun @ Burka Arjun, S/o. Burka Kishan, Aged 48 years, Occ. Pvt. Employee, R/o. 13-3-603/A, Jiyaguda, Puranapool, Hyderabad.
9. Ram Kumar @ B Ram Bukar, S/o. Burka Kishan, Aged 36 years, Occ. Pvt. Employee, R/o. 13-3-603/A, Jiyaguda, Puranapool, Hyderabad.
10. Md. Imran, S/o. Md. Iqbal, Aged 36 years, Occ. Pvt. Employee, R/o. 13-3-603/A, Jiyaguda, Puranapool, Hyderabad.

- 3 -
11. G. Sathish @ Gadam Satyanarayana, S/o. Krishna Rao (Gadam Vijaya Bhaskara Krishna Rao), Aged 36 years, Occ. Pvt. Employee, R/o. 12-8-10/92/3/4, Bharathanagar, Kukatpally.
 12. Murali @ Srikakulapu Venkara Murli, S/o. S Koteswara Rao, Aged 44 years, Occ. Pvt. Employee, R/o. Flat NBo.285, Vivekanandha Nagar Colony, Madhapur.
 13. Zubair @ Syed Zubair, S/o. Syed Abdul, Aged 30 years, Occ. Pvt. Employee, R/o. 8-3-228/678/635, Karmikanagar, Yousafguda, Hyderabad.

...PETITIONERS/ACCUSED NOS.1 TO 4, 6, 7 9, 11 TO 16

AND

1. The State of Telangana, Through Station House Officer, Panjagutta P.S. Rep. by its Public Prosecutor, High Court of Telangana.
2. M.V. Srinivasa Rao, S/o M. Rattaiah, Occ. Executive Director, Virinchi Helath care Pvt. Ltd., R/o Flat No. 310, Shanti Kuteer, Plot No. 35, Womens Co-Operative Society, Jubilee Hills, Hyd. - 35.
3. Dr. Dilip Gude, S/o Venkateswara Rao Gude, R/o H. No. 4-2-358, 107, Pride Residency, Behind Uday Hotel, Hanuman Tekdi, Hyderabad - 500 001.

...RESPONDENT/COMPLAINANT/ VICTIM

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to quash CC No 9860 /2021 (Crime No. 240 of 2021 by Panjagutta Police Station) and pending on the file of the XIV Additional Chief Metropolitan Magistrate, At Nampally for offence categorized under Sec. 120 (B), 269, 270, 271, 323, 448, 427, 506 of IPC, Sec 3, 4, 6 Telangana Medicare Service Persons and Medicare Service Institutions (Prevention of Violence and Damage to Property) Act 2008, Sec. 3 (2) of Epidemic Disease Act, 1897 and Sec.51 (B) of Disaster Management Act, 2005, F.I.R under Crime No. 240 of 2021 by Panjagutta Police Station and pending on the file of the 14th Additional Chief Metropolitan Magistrate, At Nampally, in the interest of justice.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri.K.SIDDARTH REDDY, Advocate for the Petitioners and Crl.Petition and Respondent Nos.1 to 13 in IA Nos.1 & 2 of 2021 and the Public Prosecutor on behalf of the Respondent No.14 in IA Nos.1 & 2 of 0221 and Respondent No.1 in Crl.Petition and of Sri RUSHEEK REDDY K.V., Advocate for the Respondent No.2 & 3 in Crl.Petition and petitioner in IA Nos.1 & 2 of 2021.

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K. LAKSHMAN**CRIMINAL PETITION No.8658 OF 2021**
ALONG WITH I.A.NOs.1 AND 2 OF 2021**COMMON ORDER:**

This Criminal Petition is filed under Section 482 Cr.P.C., seeking to quash the proceedings in C.C.No.9860 of 2021 pending on the file of the XIV Additional Chief Metropolitan Magistrate, at Nampally. The petitioners herein are accused Nos. 1 to 4, 6, 7, 9, 11 to 16 in the said case. The offences alleged against the petitioners herein are under Sections 120(B), 269, 270, 271, 323, 448, 427 and 506 of IPC, Sections 2, 4 and 6 of the Telangana Medicare Service Persons and Medicare Service Institutions (Prevention of Violence and Damage to Property) Act, 2008 (for short, 'the Act') and Section 3(2) of the Epidemic Disease Act, 1897 and Section 51(B) of the Disaster Management Act, 2005.

2. Heard Sri K.Siddharth Reddy, learned counsel for the petitioners, and Sri Khaja Vizarath Ali, learned Asst. Public Prosecutor for the State and Sri M.Rusheek Reddy, K.V., learned counsel for the respondent Nos.2 and 3. Perused the record.

3. During the pendency of the present Criminal Petition, the parties have compromised the matter and, accordingly, respondent Nos.2 and 3 filed I.A.Nos.1 and 2 of 2021 seeking permission to compound the offences and to compromise the case.

4. Vide order dated 09.03.2022, this Court, after recording the submissions made by the learned counsel for the petitioners as well as respondent Nos.2 and 3, directed the parties to appear before the Secretary, Telangana High Court Legal Services Committee, Hyderabad, for their identification on or before 16.03.2022 and also directed the Secretary to submit a report by 16.03.2022. In compliance with the said order, the Secretary has submitted his report, on 16.03.2022.

5. In the report of the Secretary, Telangana High Court Legal Services Committee, Hyderabad, it is stated that the petitioners/A.1 to 4, 6, 7, 9, 11 to A.13, A.15 and A.16 and the respondent Nos.2 and 3 along with their counsel have appeared before him and the petitioner No.11/A.14 could not appear due to his personal inconvenience. It is further stated that on examination and verification of the particulars from the Aadhar Cards of those appeared were tallied. Thus the identification of

the parties except the petitioner No.11/A.14, has been established.

6. Today Sr. K.Siddarth Reddy, learned counsel for the petitioners, filed a memo vide USR No.39383 of 2022, dated 26.04.2022, stating that he is unable to trace out petitioner No.11/A.14 and his whereabouts could not be found and not pressed the criminal petition insofar as the petitioner No.11/A.14.

7. The parties herein have filed a joint memo of compromise stating that at the intervention of the elders, they have settled the disputes between them amicably and the respondent Nos.2 and 3 have no objection to quash the proceedings against the petitioners herein except the petitioner No.11/A.14 in the above said case. The said joint memo of compromise and the report of the Secretary are placed on record.

8. In view the said report of the Secretary, Telangana High Court Legal Services Committee, Hyderabad and also in view of the compromise entered between the petitioners and respondent Nos.2 and 3. I.A.Nos.1 and 2 of 2022 are also partly allowed. Consequently, the Criminal Petition is also partly allowed and the proceedings in C.C.No.9860 of 2021 pending

on the file of the XIV Additional Chief Metropolitan Magistrate, at Nampally against the petitioners herein/A.1 to 4, 6, 7, 9, 11 to 13 and A.15 and A.16 only in the said case, are quashed, subject to payment of an amount of Rs.10,000/- (Rupees Ten Thousand Only) to the Telangana High Court Advocates' Association, Hyderabad, within ten (10) days from today, and file proof of the same into the Registry. With regard to the petitioner No.11/A.14, the criminal petition is dismissed as not pressed.

As a sequel, the miscellaneous Petitions, pending if any, shall stand closed.

Sd/-P.PADMANABHA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The XIV Additional Chief Metropolitan Magistrate, at Nampally, Hyderabad.
2. The Station House Officer, Panjagutta Police Station, Hyderabad.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad (OUT)
4. One CC to Sri K.Siddarth Reddy, Advocate [OPUC]
5. One CC to Sri Rusheek Reddy K.V., Advocate [OPUC]
6. The Secretary, Telangana High Courts Advocate Association, Hyderabad.
7. Two CD Copies
(Along with a copy of Joint Memo of Compromise)

Kj.

Cost Memo:

Note: Amount paid by K.Siddarth Reddy, towards imposed by Cost of Rs.10,000/- (Ten thousand) to Telangana High Court Advocates Association, Hyderabad.

Receipt No.55688 date: 19/04/2022



HIGH COURT

DATED:29/04/2022

COMMON ORDER

CRLP.No.8658 of 2021
ALONG WITH I.A.NOS.1 AND 2 OF 2021



PARTLY ALLOWING THE CRIMINAL PETITION

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18/15/9/2023

IN THE HIGH COURT OF JUDICATURE FOR THE STATE OF TELANGANA,

: AT HYDERABAD

I.A. No. OF 2021

IN

Crl. P. No. of 2021

Between:

1. Ms. Shashi Vangapalli @ Sheshy Bhavani Vangapalli
D/o. Satyanarayana Vangapalli
Aged 34 years, Occ: Business,
R/o. Flat No.101, Citizens Prime Rose Crest,
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2. Mythrayan K @ K Mythreya
S/o. Late Nagaraju,
Aged 34 years, Occ: Business,
R/o. Flat No.308, Kakatiya Hills, Kavuri Hills, Hyderabad
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Aged 35 years, Occ: Business,
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4. R.Rajesh s/o. Shashi,
Aged: 32 Yrs, Occ: Business
R/o. Flat No.101, Citizens Prime Rose Crest,
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6. Anil Kumar @ Ashangar Anil
S/o. Ashangar Mahesh,
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S/o Garaga Apparao,
Aged 31 years, Occ: Pvt. Employee,
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S/o. Burka Kishan
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R/o. 13-3-603/A, Jiyaguda, Puranapool, Hyderabad.

9. Ram Kumar @ B Ram Bukar
S/o. Burka Kishan
Aged 36 years, Occ: Pvt. Employee,
R/o. 13-3-603/A, Jiyaguda, Puranapool, Hyderabad.

10. Md. Imran S/o. Md. Iqbal,
Aged 36 years, Occ: Pvt. Employee,
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11. G. Sathish @ Gadam Satyanarayana
S/o. Krishna Rao (Gadam Vijaya Bhaskara Krishna Rao)
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R/o. Flat NBO.285, Vivekanandha Nagar Colony, Madhapur.

13. Zubair @ Syed Zubair
S/o. Syed Abdul,
Aged 30 years, Occ: Pvt. Employee,
r/o. 8-3-228/678/635, Karmikannagar, Yousafguda, Hyderabad.

And
...Petitioners/Accused No.1 to 4, 6,7,9,11 to 16

The State of Telangana
Through
1. The Station House Officer, Panjagutta P.S.
Rep. by its Public Prosecutor,
High Court of Telangana

2. M.V. Srinivasa Rao S/o M. Rattalah,
Occ: Executive Director, Vinchi Helath care Pvt. Ltd.,
R/o Flat No. 310, Shanti Kuteer, Plot No. 35, Women's
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3. Dr. Dilipgude, S/o Venkateswara Rao Gude,
R/o H. No. 4-2-358, # 107, Pride Residency,
Behind Uday Hotel, Hanuman Tekdi, Hyderabad - 500 001

...Respondent/Complainant/Victim

COMPROMISE PETITION/JOINT MEMO

For the reasons stated in the accompanying affidavit, it is therefore prayed that this Hon'ble court may be pleased to permit the petitioners and the Second Respondent to compound the offence and quash the proceedings in CC 9860 of 2021 (Crime No. 240 of 2021 by Panjagutta Police Station) on the file of Hon'be XIV Additional Chief Metropolitan Magistrate, Hyderabad, in the interest of justice.

① - [Signature]

② - [Signature]

③ - [Signature]

④ - [Signature]

⑫ - B. Res

⑬ - MD. [Signature]

⑭ - G. Satya

⑮ - [Signature]

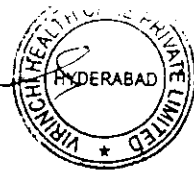
⑯ - S.V. [Signature]

⑰ - [Signature]

G. Gairind

⑱ - Anik Kumar

B. [Signature]



* y.v. [Signature]

* h. [Signature]

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