**(2025) 10 TH CK 0082**

**Telangana HC**

**Case No:** Criminal Petition Nos.4932 Of 2020, connected With Criminal Petition Nos.5529 Of 2020

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| Kareti Venkata Subba Reddy | APPELLANT |
| Vs | |
| State of Telangana | RESPONDENT |

**Date of Decision:** Oct. 17, 2025

**Acts Referred:**

- Indian Penal Code, 1860 — Section 34, 120(B), 323, 384, 406, 420, 423, 447, 467, 468, 506
- Code of Criminal Procedure, 1973 — Section 156(3), 482

**Hon'ble Judges:** J. Sreenivas Rao, J

**Bench:** Single Bench

**Advocate:** C. Damodar Reddy, C. Ruthwik Reddy, Krishna Kalyan, K. Venumadhav, L.Preetham Reddy, M. Vivekananda Reddy

**Final Decision:** Allowed

**Judgement**

J. Sreenivas Rao, J

1. Criminal Petition No.4932 of 2020 is filed by the petitioner/accused No.3 and Criminal Petition No.5529 of 2020 is filed by the petitioners/accused Nos.5 to 7 and 9 seeking to quash the proceedings in Crime No.183 of 2020 of Miryalguda II Town Police Station, Nalgonda District, registered for the offences punishable under Sections 447, 420 and 506 read with 34 of the Indian Penal Code, 1860 (for short, â€˜the IPCâ€™).

1.1. As both the criminal petitions arise out of Crime No.183 of 2020 of Miryalguda II Town Police Station, Nalgonda District, both petitions are clubbed together and being disposed of the same by way of a common

order.

**2. Brief facts of the case:**

The de facto complainant/respondent No.2 filed a complaint on 02.10.2020 stating that in Survey No. 956, the land was originally purchased by Dilkush Begum, W/o Latiff, vide Document No. 602 of 1970 through Nerella Papaiah. The complainant purchased the said land on 02.02.1984 vide registered Document No. 668/1984 and has been cultivating it since then. In the same survey number, the remaining land of Nerella Papaiah was developed into plots and sold through Mandula Saidulu and other mediators in 1996. After Saiduluâ€™s death, his son and daughter-in-law sold portions of the land through registered documents. Subsequently, certain persons, namely Boddu Swathi alias Bantu Swathi, D/o Bantu Buchibabu, Parshanaboina Lakshman, Mohd. Sajid Khan, Kareti Venkata Subba Reddy, and others, began claiming ownership over the complainantâ€™s land by creating false documents and filing cases in various courts. These false documents were allegedly created in 2011-2012 by Nerella Lakshmi and Nerella Karuna, and the revenue records were amended in Sl. No. 110 with the cooperation of revenue staff. In 2015, portions of the land were illegally sold as follows: Ac.0.30 guntas to Nethi Venkateswarlu, S/o Venkatramaiah vide Document No. 542/2015; Ac.0.10 guntas to Boddu Swathi alias Bantu Swathi vide Document No. 1256/2015; Ac.1.00 guntas to Kareti Venkata Subba Reddy vide Document No. 543/2015; Ac.0.05 guntas to Mohd. Sajid Khan vide Document No. 1257/2015; and Ac.0.02 guntas to Saraswathi Gayathri Devi vide Document No. 1258/2015. Witnesses to these registrations were Chilukuri Balakrishna, Vanam Ramakrishna, and Dheeravath Thavoorya. The complainant filed a representation before the Revenue Divisional Officer, Miryalaguda, vide Letter No. D/3814/2015 dated 29.12.2016, requesting an enquiry. The Tahsildar reported in 2017 that the layout of plots prepared by Nerella Lakshmi and Nerella Karuna in 1996 was invalid and that the persons claiming ownership had no legal rights. However, the Revenue Divisional Officer disposed of the complainantâ€™s appeal in January 2019, bypassing the earlier findings. Despite this, Bantu Buchibabu, with the alleged cooperation of revenue officials, illegally registered the land in his daughterâ€™s and othersâ€™ names. The complainant has been repeatedly threatened, and civil cases have been filed against him to harass him. On 17.09.2020, Bantu Buchibabu and others threatened the complainant, demanding money and warning of illegal occupation of the land if the amount was not paid. Due to fear, the complainant refrained from filing an earlier complaint, but following news reports about similar activities, he has now come forward to submit this complaint and requests that necessary action be taken against the persons responsible for the illegal registrations and the previous revenue authorities (2011-2012) to ensure justice. Basing on the above said complaint, Crime No.183 of 2020 is registered, wherein the petitioners were arrayed as accused Nos.3, 5 to 7 and 9 and they filed the present criminal petitions seeking to quash the crime against them.

3. Heard Mr. C. Damodar Reddy, learned Senior Counsel, representing Mr. C. Ruthwik Reddy, learned counsel for the petitioner in Crl.P.No.4932 of 2020, Mr. Krishna Kalyan, learned counsel, representing Mr.

K. Venumadhav, learned counsel for the petitioners in Crl.P.No.5529 of 2020, Mr. L.Preetham Reddy, learned counsel appearing for respondent No.2 in Crl.P.No.4932 of 2020 and Mr. M. Vivekananda Reddy, learned Assistant Public Prosecutor appearing for respondent No.1 State in both the criminal petitions.

**4. Submissions of learned Senior Counsel for the petitioner in Crl.P.No.4932 of 2020:**

4.1. Learned Senior Counsel submitted that the petitioner/accused No.3 had purchased the property to an extent of Ac.1.00 gts. in Sy.No.956 of Miryalguda Village and Mandal, Nalgonda District, through registered sale deed bearing No.543 of 2015 dated 24.01.2015 from Nerella Karuna by paying valuable sale consideration and since then, he has been in possession and enjoyment of the said property and his name was mutated in the revenue records and e-pattadar passbook was also issued in his favour.

4.2. He further submitted that when respondent No.2/de facto complainant and others were trying to interfere with the possession of the petitioner, he had filed a suit in O.S.No.32 of 2015 before the V Additional District Judge, Miryalguda, seeking declaration of title and perpetual injunction. Along with the said suit, the petitioner filed an application in I.A.No.787 of 2015 seeking ad interim injunction and the learned District Judge was pleased to grant an ad interim injunction on 09.10.2015 and the said injunction order is still operating. In the said suit, respondent No.2 was made as a party defendant No.13 and he filed written statement and the said suit is pending and trial has commenced.

4.3. He further submitted that respondent No.2 lodged a complaint on 29.09.2020 to the Superintendent of Police, Nalgonda District, and the same was forwarded to the Deputy Superintendent of Police, Miryalguda, and in turn, the same was forwarded to the II Town Police Station, Miryalguda, directing him to conduct enquiry. Subsequently, respondent No.2 has given the present complaint on 02.10.2020, wherein, it is alleged that the petitioner and others claiming rights over the property basing upon fabricated documents and filed civil cases and on 17.09.2020, accused No.1, the petitioner along with other accused entered into his land illegally and demanded amount.

4.4. He also submitted that in his earlier complaint dated 29.09.2020, respondent No.2 has not made any allegation with respect to intimidation, harassment and trespassing into the land illegally and demanded money on 17.09.2020, whereas, the said allegations were made in the subsequent complaint dated 02.10.2020. Hence, the said allegations are fabricated for the purpose of filing the present complaint.

4.5. He further submitted that respondent No.2 along with others filed a suit in O.S.No.15 of 2023 before the V Additional District and Sessions Judge, Miryalguda, seeking a declaration declaring them as absolute owners of the suit schedule property and registered sale deed bearing document No.543 of 2015 dated 24.01.2015 executed by defendant Nos.2 and 3 in favour of defendant No.1, who is the petitioner in the present crime, as null and void and not binding upon him, and the said suit is also pending.

4.6. He further submitted that the petitioner filed suit in O.S.No.32 of 2015 on 05.10.2015 and respondent No.2 filed a written statement on 10.03.2016. When the said suit is pending, respondent No.2 filed the

present complaint after lapse of more than five years, suppressing several facts including pendency of the civil cases, with an intention to settle the disputes pending before the competent civil Courts, and the same is not permitted under law.

4.7. He further submitted that there are no specific allegations against the petitioner that he intimidated, harassed and trespassed into the land illegally and demanded money and the said allegations are levelled against accused No.1 only. Hence, the ingredients of Sections 447, 420 and 506 of the IPC do not attract against the petitioner and the continuation of the proceedings is clear abuse of the process of law.

4.8. In support of his contention, he relied upon the following judgments.

1. R.Nagender Yadav v State of Telangana (2023) 2 SCC 195;

2. Usha Chakraborty and another v State of West Bengal and another (2023) 15 SCC 135; and

3. Urmila Devi v. Balram 2025 SCC OnLine SC 1574.

**5. Submissions of learned Counsel for the petitioners in Crl.P.No.5529 of 2020:**

5.1. Learned counsel submitted that the petitioners/accused Nos.5 to 7 and 9 have not committed any offence. There are no allegations, much less specific allegations against the petitioners to attract the ingredients of Sections 447, 420 and 506 of the IPC. He further submitted that petitioner No.2/accused No.6 has purchased the property to an extent of Ac.0.30 gts. from the petitioner No.3/accused No.7 through registered sale deed bearing No.542 of 2015 dated 24.01.2015 and since then he has been in possession of the said property and he is the bona fide purchaser and petitioner No.4/accused No.9 is only a witness to the document executed by petitioner No.3/accused No.7. Hence, the ingredients of Sections 447, 420 and 506 of the IPC are not attracted against the petitioners.

5.2. He further submitted that accused No.6 has filed a suit in O.S.No.33 of 2015 before the VIII Additional District Judge, Miryalguda, seeking declaration of title and perpetual injunction in respect of the land admeasuring Ac.0.30 gts. in Sy.No.956 of Miryalguda village and the said suit was decreed on 17.10.2019. He also submitted that accused No.7 filed a suit in O.S.No. 29 of 2015 before the VIII Additional District Judge, Miryalguda, for declaration of title and recovery of possession in respect of the land admeasuring Ac.1.00 gts. in Sy.No.956 and the said suit is pending.

5.3. He further submitted that respondent No.2 lodged a complaint dated 02.10.2020 against the petitioners and other accused including accused No.8, who died on 28.12.2018 i.e., much prior to lodging of the above said complaint. Respondent No.2 filed the present complaint only with an intention to harass the petitioners and also to settle the civil disputes, which are pending before the competent civil Court, and the same is not permitted under law and the same is liable to be quashed.

**6. Submissions of learned counsel for respondent No.2**

6.1. Per contra, learned counsel submitted that there are specific allegations levelled against the petitioners that they have intimidated, harassed and trespassed into the land of respondent No.2 illegally and demanded money and the ingredients of Sections 447, 420 and 506 of the IPC are specifically attracted against the petitioners. Respondent No.2 mentioned in the complaint that the petitioners filed civil suits based on the fabricated documents. F.I.R. is not an encyclopedia and merely not mentioning the civil case particulars, the petitioners are not entitled to seek quashing of the proceedings. Whether the petitioners trespassed into the land of respondent No.2, the truth will come out during the course of investigation. Hence, the petitioners are not entitled to seek quashing of the proceedings.

**7. Submissions of learned Assistant Public Prosecutor**

7.1. Learned Assistant Public Prosecutor reiterated the submissions made by the learned counsel for respondent No.2.

**Analysis:**

8. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that accused No.3 is claiming rights over the property to an extent of Ac.1.00 gts. based upon the registered sale deed bearing No.543 of 2015 dated 24.01.2015 said to have been executed by Nerella Karuna by paying valuable sale consideration and his name was mutated in the revenue records, pursuant to that the revenue authorities have issued e-passbook on 18.07.2024 in his favour. The record further reveals that accused No.3 filed a suit in O.S.No.32 of 2015 before the VIII Additional District Judge, Miryalguda, seeking a declaration of title and perpetual injunction, against respondent No.2 and others. In the said suit, learned District Judge granted ad interim injunction in I.A.No.787 of 2015 on 09.10.2015 restraining the defendants therein from interfering with the suit schedule property. According to the learned Senior Counsel, the aforesaid ad interim injunction order is subsisting as on today. The record further reveals that respondent No.2 filed a written statement in O.S.No.32 of 2015 on 10.03.2016 on his behalf and on behalf defendant Nos.14 and 16 and the above said suit is pending and trial has commenced and accused No.3 filed his chief affidavit and Exs.A.1 to A.114 were marked.

9. The record further reveals that respondent No.2 along with two others filed comprehensive suit in O.S.No.15 of 2023 before the V Additional District and Sessions Judge, Miryalguda, seeking declaration of

title and to declare the registered sale deed vide document No.543 of 2015 dated 24. 01.2015 executed in favour of accused No.3 as null and void. According to the parties, the above said suit has been transferred to VIII Additional District and Sessions Judge, Miryalguda, and the same is pending. Respondent No.2 lodged a complaint before the Superintendent of Police, Nalgonda, on 29.09.2020 and the said complaint was forwarded to the Deputy Superintendent of Police. When the said complaint was pending, respondent No.2 filed another complaint dated 02.10.2020. Basing on the said complaint, Crime No.183 of 2020 was registered.

10. On perusal of both the complaints, it is revealed that respondent No.2 has not stated the pendency of the suit filed by accused No.3 i.e., O.S.No.32 of 2015 and also granting of ad interim injunction. Further, respondent No.2 is his complaint dated 29.09.2020 does not mention about the allegations with regard to the intimidation, harassment, trespass into the land illegally and demanded money, on the other hand, he made the above said allegations in the complaint dated 02.10.2020 and also he has not made any specific allegations against the petitioners and their names were also not mentioned.

11. The only allegation levelled against accused No.3 is that based upon a false and fabricated document dated 24. 01.2015, he is claiming rights over the property, and with respect to that, two civil suits, namely O.S.No.32 of 2015 and O.S.No.15 of 2023, seeking declaration of title based on the registered document No.24.01.2015, and the said suits are pending. Whether the registered sale deed dated 24.01.2015 is genuine or not, and whether accused No.3 is entitled to claim any rights over the property or not, have to be adjudicated and decided by the competent civil court, especially two comprehensive suits are pending before the civil Courts in respect of the very same property.

12. With respect to the petitioners/accused Nos.5 to 7 and 9 are concerned, there is no specific allegation levelled against them. Moreover, the suit filed by petitioner No.2/accused No.6 i.e., O.S.No.33 of 2015 before the VIII Additional District Judge, Miryalguda, seeking declaration of title and perpetual injunction in respect of the land admeasuring Ac.0.30 gts. in

Sy.No.956 was decreed on 17.10.2019 and petitioner No.3/accused No.7 filed O.S.No.29 of 2015 before the VIII Additional District Judge, Miryalguda, for declaration of title and recovery of possession in respect of the land admeasuring Ac.1.00 gts. in Sy.No.956 and the said suit is pending. The record further reveals that accused No.8 died on 28.12.2018 i.e., even prior to lodging of the complaint dated 02.10.2020.

13. The Honâ€™ble Apex Court, in R.Nagender Yadav supra, held that while exercising inherent powers under Section 482 of the CrPC, the High Court must act cautiously and sparingly, using it only to prevent abuse of process or to secure the ends of justice. The Court observed that although certain civil disputes may appear to have a criminal flavour, the High Court must determine whether the complaint genuinely

discloses the ingredients of a criminal offence or merely gives a civil dispute the colour of criminality. If the dispute is essentially civil in nature and civil remedies are already being pursued, the criminal proceedings should be quashed to prevent misuse of the courtâ€™s process. Applying this principle, the Honâ€™ble Supreme Court allowed the appeal, set aside the High Courtâ€™s order, and quashed the criminal proceedings in Criminal Complaint No. 1029 of 2015. However, it clarified that if the civil court later finds the disputed sale deed to be forged, fresh criminal proceedings may be initiated. The Court expressly refrained from commenting on the genuineness of the sale deed, leaving that issue entirely for the civil court to decide on the basis of evidence and expert opinion.

14. In Usha Chakraborty supra, the Honâ€™ble Apex Court observed that the respondent had suppressed the fact of a pending civil suit between him and the appellants, which directly related to the same dispute forming the basis of his criminal allegations. Such non-disclosure amounted to concealment of a material fact. The Court further held that before ordering registration of an FIR under Section 156(3) Cr.P.C., the complaint must disclose specific and clear allegations satisfying the essential ingredients of the alleged offences. Vague or general accusations cannot justify a direction to investigate. On examining the complaint, the Court found that the allegations lacked the necessary elements to constitute the offences under Sections 323, 384, 406, 423, 467, 468, 420, and 120-B IPC. There were no concrete assertions of causing hurt, criminal intimidation, dishonest inducement, or misappropriation. The dispute was essentially civil in nature, but the respondent had attempted to give it a criminal colour. Given that the civil suit on the same subject was already pending, the Court held that the respondent was misusing criminal proceedings as a tool of harassment against the appellants. Relying on Paramjeet Batra v. State of Uttarakhand {(2013) 11 SCC 673}, it concluded that the High Court ought to have quashed the criminal case to prevent abuse of process, as the respondent had already invoked civil remedies and concealed that fact.

15. The Honâ€™ble Supreme Court in Urmila Devi supra, referring to its earlier judgment in Madhavrao Jiwajirao Scindia v. Sambhajirao Chandrojirao Angre, reiterated that the criminal process should not be misused for any ulterior or oblique purpose. It observed that courts should quash criminal proceedings where the likelihood of conviction is minimal and where continuing prosecution would serve no meaningful purpose. After examining the facts and precedents, the Court found that none of the alleged offences were actually made out against the accused. The case was identified as one among many instances where a purely civil dispute was being presented as a criminal matter. The complaint had been pending for more than twenty years, and its continuation would only result in unnecessary hardship. Applying the principles laid down in Madhavrao Jiwajirao Scindia and State of Haryana v. Bhajan Lal, particularly sub-paragraphs 1, 3, 5, and 7 of paragraph 102, the Court held that it was just and proper to quash the proceedings in the interest of justice.

16. It is already stated supra that O.S.No.32 of 2015 filed by accused No.3, O.S.No.15 of 2023 filed by respondent No.2 and others, and O.S.No.29 of 2015 filed by accused No.7 are pending before the

competent Civil Courts, wherein the parties have sought comprehensive reliefs and the said suits are pending. There are no specific allegations against the petitioners that they illegally trespassed into the land and demanded money and even their names were not mentioned in the complaint dated 02.10.2020.

17. For the foregoing reasons as well as the principles laid down by the Honâ€™ble Apex Court as mentioned supra, this Court is of the considered view that continuation of the proceedings for the offences under Sections 447, 420 and 506 of the IPC against the petitioners/accused Nos.3, 5 to 7 and 9 is a clear abuse of process of the law and it is a fit case to invoke the provisions of Section 482 of Cr.P.C. to quash the proceedings against them.

18. In the result, the criminal petitions are allowed. The proceedings against the petitioners/accused Nos.3, 5 to 7 and 9 in Crime No.183 of 2020 of Miryalguda II Town Police Station, Nalgonda District, are hereby quashed. It is made clear that any of the observations made in this order are only confined for the purpose of deciding this case. Miscellaneous applications, pending if any, shall stand closed.