

2026 LiveLaw (SC) 308

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
AHSANUDDIN AMANULLAH; J., R. MAHADEVAN; J.
MARCH 18, 2026**

**CRIMINAL APPEAL NO. 1447 OF 2026 @ SPECIAL LEAVE PETITION (CRIMINAL) NO. 1059 OF 2026
THE STATE OF ANDHRA PRADESH *versus* B REDDEPPA REDDY & ORS.**

Criminal Procedure – Quashing of Proceedings – Section 482 Cr.P.C. – Scope of Interference – High Court quashed criminal proceedings involving allegations of fraud and forgery in the execution of a sale deed belonging to The Church of South India Trust Association (C.S.I.T.A.) - Supreme Court set aside the High Court order, holding that the High Court erred in conducting what amounted to a mini-trial and evaluating the sufficiency of evidence at the quashing stage - High Court held that a private complainant had no locus standi in the internal affairs of a registered body (C.S.I.T.A.) - Supreme Court reversed, reaffirming that criminal law can be set motion by any person having knowledge of an offence unless expressly barred by statute - Supreme Court emphasized that trust property held for the benefit of a community is a matter of legitimate public concern.

Delay in Lodging FIR – Criminal Jurisprudence – Noted that High Court quashed proceedings citing unexplained delay between the 2007 transaction and the 2015 FIR - Supreme Court clarified that in criminal matters, there is no strict limitation, and delay is not fatal unless there is evidence of deliberate inaction or prior knowledge - Respondents argued that the sale deed was upheld in civil proceedings, attaining finality - Supreme Court held that the same set of facts may give rise to both civil and criminal proceedings; a civil court's validation of a title does not prevent a criminal court from examining the merits of alleged fraud or forgery - reiterated that at the quashing stage, a Court is not expected to conduct a "mini-trial" or evaluate the sufficiency of evidence – Noted that any person with knowledge of an offence can set the criminal law in motion and that delay is not inherently fatal to a prosecution - Observed that the property in question, as trust property, involves public concern, justifying the maintainability of the complaint.

[Paras 19-25]

[Arising out of impugned final judgment and order dated 12-08-2022 in CRLP No. 7739/2019 passed by the High Court of Andhra Pradesh at Amravati]

For Appellant(s): Ms. Prerna Singh, Adv. Mr. Guntur Pramod Kumar, AOR Mr. Samarth Krishan Luthra, Adv. Mr. Dhruv Yadav, Adv.

For Respondent(s): Mr. Basant R., Sr. Adv. Mr. Shailendera Kishore Singh, AOR Ms. Ananya Singhal, Adv. Mr. Naman Vashishth, Adv. Mr. Akash Rajeev, Adv. Mr. Sumeer Sodhi, AOR Mr. Varun Tankha, Adv. Ms. Vanshika Jhamb, Adv.

ORDER

AHSANUDDIN AMANULLAH & R. MAHADEVAN, JJ.

Heard Ms. Prerna Singh, learned counsel appearing for the appellant, Mr. Basant R., learned Senior Counsel appearing for Respondents No. 1 to 3 and Mr. Sumeer Sodhi, learned counsel for Respondents No. 4 and 5.

2. Leave granted.

3. The Present appeal arises out of the order dated 12.08.2022 passed by the High Court of Andhra Pradesh¹ at Amravati in Criminal Petition No. 7739 of 2019, by which the criminal proceedings in C.C. No. 63 of 2018 (erstwhile No. 05/2017), pending on the file of the II Additional District Judge, Vijayawada, have been quashed insofar as Accused Nos. 1 to 5 and Accused No. 7 are concerned.

4. The controversy involved in the present case lies in a narrow compass. The issue pertains to alleged acts of forgery and fraud in the execution of a sale deed by Respondents No. 4 to 7 in favour of Respondents No. 1 to 3. The transaction concerns transfer of land admeasuring 7.75 acres situated at Ananthapuramu, Andhra Pradesh, belonging to The Church of South India Trust Association (C.S.I.T.A.). The core issue which arises for consideration is, whether the authorization for execution of the sale deed was limited, as per the resolution of the C.S.I.T.A dated 10.02.2007, to only one acre of land along with a bungalow, though land admeasuring 7.75 acres has actually been transferred.

5. The High Court interfered and quashed the criminal proceedings primarily on two grounds. First, the complainant had no *locus standi* as the matter pertained to the internal affairs of the C.S.I.T.A. In other words, he ought not to be concerned with the private affairs of the C.S.I.T.A. or the persons who have purchased the land belonging to the C.S.I.T.A. through a registered sale deed. Second, the transaction was of 22.09.2007, whereas the FIR came to be lodged only on 13.05.2015 and thus, there was unexplained delay in lodging the complaint.

6. Learned counsel for the appellant submitted that the resolution dated 10.02.2007 as referred to in the sale deed itself, clearly states that a conscious decision was taken by the C.S.I.T.A. to sell only one acre along with a bungalow of the land belonging to it. However, when permission was sought from the authorities to transfer the land, an extent of 7.75 acres was mentioned, and based upon that authorization, the sale deed was executed.

7. It was further contended that the sale deed dated 22.09.2007 was fraudulent not only for the reason that a much larger piece of land was transferred than what was permitted by the C.S.I.T.A under the resolution dated 10.02.2007, which has been quoted in the sale deed itself, but also for the reason that the consideration amount was far less than the prevailing market price and even the circle rate. It was submitted that the circle rate indicated the value to be nearly Rs.10,00,00,000/- (Rupees Ten Crores), whereas the consideration amount was only Rs.1,00,00,000/- (Rupees One Crore).

8. Learned counsel submitted that the complainant cannot be said to have no interest or right to lodge such a complaint. Though the C.S.I.T.A. is a body registered under the Companies Act, its nature is that of a public trust dealing with land belonging to the Christian Community as a whole, and thus it cannot be equated with a simple private Company. Moreover, the law does not prevent a private person from informing the police whenever it appears that a crime has been committed; it is for the Police to take notice of the same and act in accordance with law.

9. It was further contended that though there is a time gap between the execution of the sale deed and the lodging of the complaint, in criminal matters, there is no strict limitation. More importantly, as and when a person becomes aware that a crime has been committed, he is not only free but rather obliged in law to report it to the authorities concerned for appropriate action. Learned counsel also pointed out that although the sale

¹ Hereinafter referred to as the "High Court"

deed has been upheld in civil proceedings, that would not prevent a criminal court from examining the matter on merits, as the same set of facts may give rise to both civil and criminal proceedings. It was further contended that the reason for the delay is that the person authorized to protect the interests of the C.S.I.T.A. was himself an accused (Respondent No. 4).

10. It was also submitted that the Forensic Laboratory report indicates that the two documents, namely, the minutes of the meeting dated 10.02.2007 and the communication of the said resolution by A-6 to A-4 on the same day, are authentic insofar as the signatures are concerned. However, this does not come to the aid of the respondents, as there is no dispute regarding the authenticity of the signatures. The allegation pertains to fraud inasmuch as, on the one hand, the resolution dated 10.02.2007 permitted the sale of only one acre, whereas the communication of the same date indicated the sale of 7.75 acres, which ultimately culminated in the execution of a sale deed for 7.75 acres, purportedly under the authority of the said resolution. In such circumstances, the trial must proceed, and the quashing of the criminal case against the respondents/accused calls for interference by this Court.

11. On the contrary, Mr. Basant, learned Senior counsel appearing for Respondents No. 1 to 3 submitted that the complaint was malicious and filed with ulterior motives, and that the High Court rightly prevented abuse of the process of law. It was contended that since 2001, the C.S.I.T.A. had been attempting to sell approximately 31 acres of land due to increasing encroachments, making it difficult to retain the property. In this connection, the learned counsel referred to earlier resolutions passed in 2003 and 2005, in which, the sale of 7.75 acres for Rs. 1,00,00,000/- (Rupees One Crore), was authorised, but due to encroachment, the highest bidder withdrew his offer. Thus, the intention of the C.S.I.T.A. was always to sell 7.75 acres of land, and the price realized was whatever amount could be obtained from the land, which was under heavy encroachment.

12. Learned senior counsel submitted that there was initially a resolution in 2005 to sell the entire 7.75 acres for Rs. 1,00,00,000/- (Rupees One Crore) and thus, even though the 2007 resolution may refer to one acre, the actual intention was to sell 7.75 acres, and the C.S.I.T.A. suffered no loss, as it received the same amount as indicated earlier.

13. Learned senior counsel submitted that the difference between the circle rate and the transaction value is explainable, as the land was heavily encroached, and the price paid by Respondents No. 1 to 3 reflected only the usable portion, which was appropriately valued at Rs. 1,00,00,000/(Rupees One Crore). It was further submitted that the complainant waited for the civil suits to be decided in favour of the respondents and thereafter attempted to give a criminal colour to the transaction.

14. Learned senior counsel further contended that once the issue has attained finality in Civil proceedings, and when the C.S.I.T.A itself has not raised any grievance, the High Court rightly quashed the criminal proceedings.

15. Learned senior counsel concluded by submitting that Respondents No. 1 to 3 are advanced in age, and continuation of proceedings would amount to harassment despite the transaction having been upheld in civil proceedings.

16. Mr. Sumeer Sodhi, learned counsel for Respondents No. 4 and 5 submitted that civil proceedings have attained finality and therefore allowing criminal proceedings to continue would serve no useful purpose, as the title now stands validly transferred in favour of Respondents No. 1 to 3. It was further submitted that Respondents No. 4 and 5 are also of advanced age, and the same may be considered by this Court.

17. We have considered the matter in depth. The facts, as borne out from the record, speak for themselves. The material on record indicates that the resolution dated 10.02.2007 passed by the C.S.I.T.A. forms the basis of the disputed sale transaction and the subject matter of the criminal case, which reads as follows:

“25. ANY OTHER BUSINESS

a. Ravalaseema Diocese – Sale of 7.75 acres of land at Ananthapur Town – Renewal of Permission

It was reported that in the Emergency Meeting of the CSITA Committee of Management held on 9.2.2005, the Committee had given approval for the sale of 7.75 acres of land situated in New S. Nos. 2012, 2143 and 2673 (Old S. Nos. 448 & 449) in Ananthapur Town as is where is condition to Mr. Y.S.Prakash Reddy. Further, it was reported that the Treasurer of the Rayalaseema Diocese had stated that the validity of the CSITA approval had lapsed on 31.3.2006 and more over the above purchaser had not turned up and now one Mr. G.J.Simon, Good Team Building Associates, Anantapur had expressed his willingness to purchase the above land as is where is condition at the rate of Rs. 100 lakhs and also paid an advance amount of Rs. 10 lakhs to the Diocese. After detailed discussion it was

RESOLVED to approve the sale of 1 acre of vacant land including the old bungalow out of 7.75 acres of land situated in S. Nos. 2012, 2143 and 2673 (Old S.Nos.448 & 449) in Anantapur to Mr. G.J. Simon, Good Team Building Associates, Anantapur at the rate of Rs. 100 lakhs in accordance with Rule II 8(i) of the CSI Synod Rules for the Management of Movable and Immovable properties subject to the following terms and conditions:

- a. Payment of 1% of sale proceeds to CSITA asper SWC 91-27 dated 15.1.1991.*
- b. A Statement of Account signed by the Treasurer regarding receipt of sale proceeds to CSITA.*
- c. A report be submitted regarding utilization of the sale proceeds.*
- d. This approval will have validity till 31.3.2008.*

<i>Location :</i>	<i>Anantapur</i>
<i>Extent:</i>	<i>1 Acre of vacant land including the old</i>
<i>Bungalow out</i>	<i>of 7.75 Acres of land</i>
<i>Approx. value 100 Lakhs</i>	<i>: Negotiated price of Rs.</i>
<i>Name of the Purchaser</i>	<i>Mr.G.J.Simon, Good Team Building Associates, Anantapur</i>
<i>Utilisation of Sale proceeds</i>	<i>Rs. 25 lakhs for the construction of Bishop’s House and the balance will be invested in Shopping Complex.”</i>

However, the surrounding circumstances emerging from the investigation cast serious doubt on the genuineness and scope of the aforesaid resolution.

18. At this juncture, it is apposite to advert to the statements of material witnesses recorded under Section 161(3) Cr.P.C.

18.1. Dr. Daniel Rathnakara Sadanand, General Secretary of Church of South India and Honorary Secretary of C.S.I.T.A. has categorically deposed that immovable properties of the Church are administered strictly in accordance with the C.S.I.T.A Manual and Synod Rules. He clarified that any transaction involving immovable property mandatorily requires prior sanction of the Synod Executive/Working Committee, and that one of the authorized functionaries, such as the Bishop or a nominated attorney, must be a signatory. He further stated that Resolution No. 25a dated 10.02.2007 only approved the sale of one acre of land, including an old bungalow, to Mr. G.J. Simon for Rs. 1 crore and that no subsequent resolution authorizing the sale of the entire extent of 7.75 acres was ever passed.

18.2. This position is corroborated by Sr. B. Vimal Sukumar, a member of the Managing Committee, who reiterated that the rules unequivocally prohibit the sale of trust property without prior sanction of the competent body, and that the approval granted was limited to one acre only.

18.3. Bishop Manohar has further stated that he became aware at a later stage that the entire extent of 7.75 acres had been sold to BNR Constructions for Rs. 1 crore, despite the resolution being confined to one acre. He also indicated that certain communications were made to the C.S.I.T.A authorities without his knowledge.

18.4. Rt. Rev. Dr. B.D. Prasada Rao, Bishop, has asserted that the consideration amount of Rs. 1 crore was not even realized; no contribution of 1% was remitted to C.S.I.T.A. as required; and no report regarding utilization of sale proceeds was submitted. Significantly, while a version of Resolution No. 25a referring to the sale of the entire land was claimed to be available, the original resolution approving the sale of only one acre was not traceable in the office records, giving rise to further suspicion.

19. From the aforesaid statements, it *prima facie* emerges that the permission, if any, was restricted to the sale of one acre; the actual sale pertains to 7.75 acres, far beyond the authorized extent; mandatory approvals under the governing rules were not obtained; the consideration itself appears doubtful, as the cheque was not realized; and statutory and institutional requirements, including remittance of 1% of sale proceeds to C.S.I.T.A. were not complied with. The record further demonstrates that no resolution was passed after 10.02.2007 authorizing the sale of 7.75 acres. Even the records of C.S.I.T.A. do not reflect any such authorization in favour of BNR Constructions. Therefore, Resolution No. 25a dated 10.02.2007 which was expressly referred to in the sale deed dated 22.09.2007 authorizes the sale of only one acre, whereas the actual transfer is of 7.75 acres.

20. In such circumstances, the allegations raised in the FIR clearly disclose triable issues which require adjudication on evidence. It is trite that at the stage of considering a petition for quashing, the Court is not expected to conduct a mini-trial or evaluate the sufficiency of evidence.

21. It is equally well settled that criminal law can be set in motion by any person having knowledge of the commission of an offence, unless expressly barred by statute. The contention regarding maintainability of the complaint is therefore untenable. Further, in criminal jurisprudence, delay in lodging the complaint is not by itself fatal, particularly in the absence of material indicating prior knowledge or deliberate inaction on the part of the complainant.

22. The explanations sought to be offered that earlier resolutions authorized the sale of 7.75 acres and that the intention of the 2007 resolution was to that effect, and further that the property was sold at a lesser price due to encroachment and on an 'as is where is'

basis, do not dispel the serious discrepancies noted above. On the contrary, they strengthen the suspicion surrounding the transaction.

23. The land in question, though administered by a corporate body, is essentially trust property held for the benefit of the community, and any irregularity in its alienation is a matter of legitimate public concern.

24. In view of the foregoing, we are of the considered view that the High Court erred in exercising its jurisdiction to quash the criminal proceedings at this stage.

25. Accordingly, the appeal is allowed. The impugned order is set aside. The criminal proceedings are restored to file and shall proceed from the stage at which they were quashed.

26. It is clarified that the observations made herein are only for the purpose of deciding the issue of quashing, and shall not prejudice the case of either party during trial.

27. Pending application(s), if any, shall stand disposed of.

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