

**IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPEAL NO. **OF 2025**
(Arising out of SLP (Crl.) No.9744 of 2024)

Jupally Lakshmikantha Reddy Appellant(s)

Versus

State of Andhra Pradesh & Anr. Respondent(s)

J U D G M E N T

Joymalya Bagchi, J.

1. Leave granted.
2. The appeal is directed against judgment and order dated 18.04.2024 in Criminal Petition No. 2197/2021 passed by High Court of Andhra Pradesh whereby the High Court refused to quash proceedings in CC No. 303 of 2020 under Section 420 of the Indian Penal Code, 1860¹.
3. Appellant's society namely, JVRR Education Society is running a college since 2016 from a non-multi-storeyed building comprising ground – 03 upstairs, with a height of 14.20 metres. On 13.07.2018,

¹ Hereinafter “IPC”.

one V. Sreenivasa Reddy, District Fire Officer, Kurnool, submitted a written complaint alleging that the college had obtained recognition certificate from the School Education Department to run the educational institution by submitting a forged no-objection certificate² purportedly issued by Assistant District Fire Officer, Kurnool. The said complaint was registered as a First Information Report by Nandyal III Town PS in Crime No. 99/2018 on 15.07.2018 under Sections 420, 465, 468, 471 IPC corresponding to CC No. 303/2020 on the file of Judicial Magistrate, Nandyal.

4. On conclusion of investigation, chargesheet was filed under Section 420 IPC. In the chargesheet, it was, *inter alia*, alleged that the Inspector of Police (LW 8) visited the District Fire Office and came to know the District Fire Officer had not issued the NOC, and only a xerox copy of the Fire NOC was submitted in the office of State Council of Educational Research and Training³ to obtain recognition and run the institution. In spite of efforts, the alleged fabricated document could not be recovered and chargesheet was filed alleging appellant had created a forged document, namely NOC, and used it

² Hereinafter “NOC”.

³ Hereinafter “SCERT”.

as genuine to play fraud on the Education Department and District Fire Office, Kurnool, which is punishable under Section 420 IPC.

5. Admittedly, as per National Building Code of India, 2016,⁴ NOC from the officer concerned of the Fire Department was not necessary for educational buildings which were below 15 metres in height. Appellant's society was running the educational institution from a building having height of 14.20 metres. Given this situation, appellant's society and other educational institutions had instituted writ proceedings in WP No. 14542/2018 before the High Court and prayed for renewal of affiliation without insisting on fire NOC from the State Disaster Response and Fire Services Department.

6. By order dated 25.04.2018, the writ petition came to be allowed and directions were issued upon the Education Department to renew affiliation without insisting on furnishing fire NOC. Due to non-compliance of such direction *vide* letter dated 01.07.2019 contempt notice was issued upon Education as well as the Fire Department.

7. It is contended that as a counter-blast, the present criminal case came to be registered to intimidate and harass the appellant. In

⁴ Rule 4.6.1.4, National Building Code of India.