

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.3267 of 2015

ORDER:

This criminal revision case is directed against the docket order dated 15.12.2015 passed in Crl.M.P.No.1415 of 2015 in Crl.A.No.990 of 2015 by the learned V Additional Metropolitan Sessions Judge (Mahila Court) at Hyderabad.

2. Heard and perused the material available on record.

3. The second petitioner/A2 was convicted for the offence under Section 138 of Negotiable Instruments Act, 1881 and sentenced to undergo simple imprisonment for a period of one year and also sentenced to pay a fine of Rs.4,10,000/- in default to undergo simple imprisonment for four months, and out of the said fine amount, Rs.4,05,000/- shall be paid to the complainant Bank as compensation. Aggrieved by the same, the petitioners preferred Crl.A.No.990 of 20105 along with the impugned application seeking to suspend the said sentence of imprisonment along with the compensation amount of Rs.4,10,000/-. By the order impugned, the learned Sessions Judge while granting bail to the petitioner suspended the sentence of imprisonment imposed by the trial Court. The grievance of the petitioner is that the appellate Court erred in not suspending the sentence of fine amount. Hence, he filed the present revision.

4. Considering the facts and circumstances of the case, the Criminal Revision Case is disposed of with the following direction;

The appellate Court is directed to dispose of the appeal in accordance with law without insisting upon the petitioner for payment of compensation as ordered by the trial Court.

Miscellaneous petitions filed in this revision, if any, shall stand closed.

RAJA ELANGO, J

31st December, 2015

sj