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HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No.8342 of 2015

ORDER:

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This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973, seeking a direction to the VI Additional Metropolitan Sessions Judge, Secunderabad to direct the first respondent to pay compensation of Rs.5 lakhs as directed by the VIII Special Magistrate, Hyderabad in C.C.No.444 of 2012.

The facts which lead to filing of this Criminal Petition are as under:

The petitioner herein filed a private complaint against the accused for an offence punishable under Section 138 of Negotiable Instrument. The said case was taken up as C.C.No.444 of 2012 on the file of the XI Additional Chief Metropolitan Magistrate, Secunderabad. After a fullfledged trial, the accused was convicted and sentenced to suffer imprisonment for a period of two years and also to pay compensation of Rs.5 lakhs under Section 357 of Cr.P.C., on or before 31.10.2014 in default to suffer simple imprisonment for six months. Aggrieved by the same, the accused preferred Crl.A.No.834 of 2014 before the Court of VI Additional Metropolitan Sessions Judge, Secunderabad. Pending appeal, the accused preferred Crl.A.M.P.No.434 of 2014 seeking suspension of sentence. By an order dated 05.09.2014, the learned VI Additional Metropolitan Sessions Judge allowed the appeal and suspended the sentence on the same terms and conditions as imposed by the trial Court,

till the disposal of the appeal. Thereafter, the petitioner filed a Miscellaneous Petition seeking payment of compensation as directed by the trial Court. It is stated that though the application was filed in the month of January, 2015, no orders are passed till date.

Having regard to the circumstances stated above, the VI Additional Metropolitan Sessions Judge, Secunderabad is advised to dispose of the above CrI.P.M.P. filed by the petitioner seeking payment of compensation by the respondent therein, in accordance with law, as expeditiously as possible, preferably within a period of eight (08) weeks from the date of receipt of a copy of this order.

Accordingly, the Criminal Petition is disposed of.

As a sequel thereto, Miscellaneous Petitions, if any, pending shall stand closed.

C. PRAVEEN KUMAR, J

27.10.2015

Note:

Issue CC in three days.

B/o.

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