

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRL.R.C.M.P.No.2142 of 2015

&

CRIMINAL REVISION CASE No.1357 of 2015

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ORDER:

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Challenging the judgment dated 18.06.2015 passed by the Metropolitan Sessions Judge, Hyderabad in Crl.A.No.1034 of 2013 confirming the conviction and sentence imposed in C.C.No.409 of 2013 by XI Special Magistrate, Hyderabad dated 17.12.2013 for the offence punishable under Section 138 of Negotiable Instruments Act, the petitioner-accused preferred the present revision.

When the matter is taken up for hearing, both the counsel filed Crl.R.C.M.P.No.2142 of 2015 stating that the parties have entered into compromise and therefore, they prayed to grant permission to compound the offence under Section 138 of Negotiable Instruments Act and to set aside the conviction and sentence imposed against the petitioner-accused.

Both the parties as well as their counsel have signed on the memorandum of compromise annexed to Crl.R.C.M.P.No.2142 of 2015. The parties, who are present in the Court, also affirmed the same. A perusal of the affidavit filed in support of the petition goes to show that the matter was settled between the parties.

In view of the amicable settlement of the dispute between the parties and in view of the nature of the proceedings and enabling provision contemplated under Section 147 of the Negotiable Instruments Act to compound the offence under the Act, Crl.R.C.M.P.No.2142 of 2015 is ordered and the compromise is recorded. Consequent thereto, the Crl.R.C. is allowed setting aside the judgment in C.C.No.409 of 2013 dated 17.12.2013 passed by XI Special Magistrate, Hyderabad as well as the judgment in Crl.A.No.1034 of 2013 passed the Metropolitan Sessions Judge, Hyderabad

dated 18.6.2015. It is directed that this compromise shall form part of the record. Regarding the costs, the petitioner-accused informed this Court that with great financial strain, he has deposited the entire money to the complainant. Hence, this Court is not inclined to impose any costs on the petitioner.

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

16.07.2015.
Tsr

RAJA ELANGO,J