

THE HONOURABLE SRI JUSTICE C. PRAVEEN KUMAR

Crl.R.C.M.P.No.967 of 2015

and

Criminal Revision Case No.577 of 2015

ORDER:

The present Criminal Revision Case is filed under Sections 397 and 401 of Cr.P.C. questioning the judgment dated 06.06.2014 passed in Crl.A.No.345 of 2013 on the file of the V Additional District and Sessions Judge (Fast Track Court) Ranga Reddy District, wherein the learned District Judge confirmed the conviction and sentence imposed against the petitioner/ accused in C.C.No.152 of 2012 (old C.C.No.107 of 2012) on the file of the IV Special Magistrate, Kukatpally at Miyapur.

The second respondent herein filed a private complaint against the petitioner for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, vide judgment dated 23.05.2013, the learned IV Special Magistrate, Kukatpally at Miyapur, convicted the petitioner/accused and sentenced him to undergo rigorous imprisonment for a period of six months and to pay compensation of Rs.3,00,000/-. Challenging the same, the petitioner/accused preferred Crl.A.No.345 of 2013 before the V Additional District and Sessions Judge (Fast Track Court) Ranga Reddy District. The learned Sessions Judge by his judgment dated 06.06.2014 dismissed the appeal confirming the conviction and sentence passed by the trial Judge. Aggrieved by the same the present revision is filed.

Along with the revision, the complainant filed Crl.R.C.M.P. (SR) No.5260 of 2015 seeking permission of the Court to compound the offence under Section 138 of the Act. On 20.02.2015 the complainant and the accused were present before the Court and they were identified by their respective counsel. When examined, the complainant stated that at the instance of the elders, they have settled the matter out of the Court and he has no objection for acquitting the accused in the above criminal revision case.

Section 147 of the Act reads as under;

“Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974) every offence punishable under this Act shall be compoundable”.

In view of the compromise entered into between the parties and taking into consideration the social status of the parties, permission for compounding the offence is accorded without imposing any penalty.

For the aforesaid reasons, the CrI.R.C.M.P.(SR) No.5260 of 2015 is ordered and the Criminal Revision Case is allowed, acquitting the accused for an offence punishable under Section 138 of the Act.

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

C. PRAVEEN KUMAR, J

25.02.2015
gkv