

THE HON'BLE SRI JUSTICE RAJA ELANGO

CRL.R.C.M.P.NO.3807 OF 2015

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CRIMINAL REVISION CASE No:2383 OF 2015

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ORDER:

1. Aggrieved by the judgment dated 28.7.2015 passed in Criminal Appeal No.1025 of 2014 by the learned Special Judge for Economic offences-cum-VIII Additional Metropolitan Sessions Judge, Hyderabad confirming the conviction and the sentence imposed in C.C.No:55 of 2013 vide judgment dated 29.9.2014 against the petitioner-accused for the offence under Section 138 of the Negotiable Instruments Act, by the learned V Additional Chief Metropolitan Magistrate-cum-Principal Magistrate of Juvenile Justice Board, Hyderabad, the present revision is preferred.

2. When the matter has come up for hearing, the complainant filed the above application viz., Crl.R.C.M.P.No.3807 of 2015 along with joint memo of compromise and the affidavit stating that he entered into compromise and the matter was settled out of Court and therefore, he 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 for the above offence.

3. Both the parties as well as their Counsel have signed on the joint memo of compromise. A perusal of the affidavit filed in support of the petition goes to show that the matter was settled and thereby, it is requested to set aside the judgments passed in Criminal Appeal No:1025 of 2014 and C.C.No.55 of 2013 and to acquit the petitioner. It is also submitted that NBWs are pending against the petitioner and the same may be recalled.

4. In view of the amicable settlement of the dispute between the parties and in view of the nature of the proceedings and enabling provisions contemplated under Section 147 of the Negotiable Instruments Act to compound the offences under the Act, the above petition is ordered and the compromise is recorded.

5. Accordingly, the above Crl.M.P. is ordered and the Criminal Revision Case is allowed setting aside the judgment passed in C.C.No:55 of 2013, dated 29.9.2014 by the V Additional Chief Metropolitan Magistrate-cum-Principal Magistrate of Juvenile Justice Board, Hyderabad, as well as the judgment passed in Crl.A.No:1025 of 2014 on 28.7.2015 by the Special Judge for Economic Offences-cum-VIII Additional Metropolitan Sessions Judge, Hyderabad, in view of the compromise entered into by both the parties. NBWs issued against the petitioner are recalled. It is made clear that this compromise shall form part of the record.

JUSTICE RAJA ELANGO

Dated: 27.10.2015

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