

THE HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.2578 of 2015

ORDER:

This Criminal Revision Case is filed by the petitioner-accused under Sections 397 and 401 Cr.P.C., challenging the order, dated 27.10.2015, passed in CrI.M.P. No.188 of 2015 in CrI.A. No.965 of 2015 by the IV Additional District & Sessions Judge, Ranga Reddy District.

Heard and perused the material available on record.

The petitioner was convicted and sentenced to undergo simple imprisonment for a period of one year and to pay a sum of Rs.5,00,000/- as compensation to the 2nd respondent – de facto complainant, for the offence punishable under Section 138 of the Negotiable Instruments Act, by the II Special Magistrate, Hasthinapuram, Ranga Reddy District. Challenging the same, the petitioner filed CrI.A. No.965 of 2015 before the IV Additional District & Sessions Judge, L.B. Nagar, Ranga Reddy District. He also filed CrI.M.P. No.188 of 2015 with a prayer to suspend the operation of sentence and also payment compensation, pending disposal of the appeal. The learned Sessions Judge, while allowing the said application, directed the petitioner to deposit 1/4th of the compensation amount in the trial Court on or before 04.11.2015. Aggrieved over the same, the present revision is filed.

Considering the arguments of both the learned counsel and in view of the fact that the main appeal is pending before the lower appellate Court with regard to sentence of imprisonment and payment of compensation, this Court is inclined to pass the following order:

“The order passed by the II Special Magistrate, Hasthinapuram, R.R. District, imposing sentence of simple imprisonment for one year and also payment of

compensation of Rs.5,00,000/- against the petitioner, is suspended till disposal of the criminal appeal. The petitioner is directed to execute a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) with one surety for the like sum to the satisfaction of the appellate Court for his future appearance before the appellate Court.”

With the above modification, the Criminal Revision Case is disposed of. Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO, J

November 03, 2015.

KTL