

THE HON'BLE SRI JUSTICE RAJA ELANGO
CRL.R.C. MP No.1140 OF 2015
AND
CRIMINAL REVISION CASE No.362 OF 2015

ORDER:

This Criminal Revision Case is filed against order, dated 08.12.2014, passed in CrI.A. No. 372 of 2012 passed by the III Additional Sessions Judge, whereby the learned Sessions Judge confirmed the conviction and sentence recorded against the accused by the Principal Junior Civil Judge – cum – Judicial Magistrate of First Class, Bhimavaram in CC No.481 of 2011.

When this matter has come up for hearing, the above CrI.M.P. is filed along with an affidavit by the de facto complainant seeking permission to compound the case. It is stated in affidavit that the matter was settled at the intervention of the elders and therefore, the complainant do not intend to proceed further against the appellants and he has no grievance against them. The appellants and the de facto complainant, who appeared before this Court, submitted through their respective Counsel that they entered into a compromise and therefore, the compromise may be recorded and the appellants-accused may be acquitted for the offence under Section 324, 323 and 326 IPC.

In the light of the facts and circumstances involved in the present case and since the accused and the complainant belong to the same village and the offence took place in a sudden altercation, this Court is of the view that as the parties to the dispute settled the issues amicably and they want to lead a peaceful life, it is a fit case wherein the conviction and sentence imposed by the trial Court on the appellants-accused can be set aside.

In the result, the CrI.R.C.M.P.No.1140 of 2015 is ordered and the Criminal Revision Case is allowed setting aside the judgment,

dated 08.12.2014, passed in Crl.A. No.372 of 2012 by the III Additional Sessions Judge, Bhimavaram confirming the judgment, dated 04.12.2012, passed in CC No.481 of 2011 by the Principal Junior Civil Judge-cum-Judicial Magistrate of First Class, Bhimavaram, and the conviction and sentence imposed by the trial Court against the petitioners – accused for the offences under Sections 324 and 323 IPC and against A3 for the offence under Section 326 IPC, which are confirmed by the III Additional Sessions Judge, Bhimavaram, are hereby set aside. Consequently, the appellants-accused are acquitted for the said charges.

Learned counsel for the petitioners – accused submitted that the petitioners are not inclined to ask for the fine amount imposed against them. Hence, it is directed that the fine amount be deposited in the account of the State. Bail bonds shall stand cancelled and the sureties are discharged.

Miscellaneous petitions, pending if any, shall stand closed.

RAJA ELANGO, J

June 08, 2015.
KTL