

**THE HONOURABLE SRI JUSTICE RAJA ELANGO**

**CRL.R.C.M.P.No.2091 of 2015**

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**CRIMINAL REVISION CASE No.855 of 2014**

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**ORDER:**

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This revision is preferred by the petitioner-accused challenging the judgment dated 4.3.2014 passed by the Metropolitan Sessions Judge, Hyderabad in CrI.A.No.894 of 2012 confirming the conviction and sentence imposed in C.C.No.1 of 2012 by the XXIII Special Magistrate, Hyderabad vide judgment dated 22.8.2012 whereby the petitioner was convicted for the offence under Section 138 of Negotiable Instruments Act and sentenced to undergo R.I. for six months and to pay a fine of Rs.10,000/-, in default, to suffer S.I. for one month.

When the matter is taken up for hearing, both the counsel filed CrI.R.C.M.P.No.2091 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 affidavit filed in support of CrI.R.C.M.P.No.2091 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, CrI.R.C.M.P.No.2091 of 2015 is ordered and the compromise is recorded. Consequent thereto, the CrI.R.C. is allowed setting aside the judgment in C.C.No.1 of 2012 dated 22.8.2012 passed by the XXIII Special Magistrate, Hyderabad as well as the judgment in CrI.A.No.894 of 2012 passed by the Metropolitan Sessions Judge,

Hyderabad dated 4.3.2014. 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 paid 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.

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**RAJA ELANGO,J**

05.01.2016.

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