

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL REVISION CASE No.761 of 2015

ORDER:-

The present revision is filed under Sections 397 and 401 Cr.P.C. against the judgment, dated 29.04.2015, passed in Crl.A.No.138 of 2013, on the file of III Additional District and Sessions Judge at Ranga Reddy District, wherein and whereunder the findings of the trial Court in C.C.No.328 of 2012, dated 12.02.2013, on the file of the Special Magistrate, Cyberabad at Kukatpally, in convicting the accused No.2 for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881, and sentencing him to undergo simple imprisonment for a period of six months and also to pay compensation of Rs.3,96,000/- within one (1) month was confirmed.

2. Pending the revision, the parties filed Crl.R.C.M.P.No.854 of 2016 seeking permission of the Court to acquit the accused No.2 by setting aside the judgment, dated 12.02.2013 in C.C.No.328 of 2012, in view of the compromise entered between the parties. On 11.03.2016, the complainant as well as the accused were present before the Court and they were identified by their respective counsel. When examined, the complainant stated that he has settled the matter with the accused and as such he is not interested in prosecuting the matter. The affidavit of the complainant filed before this Court also indicates the same.

3. Having regard to the fact that the parties have compromised the matter and in view of the judgment of the Apex Court in **JIK INDUSTRIES LIMITED AND ORS Vs. AMARLAL V JUMANI AND ANOTHER**^[1], the request of the petitioners can be accepted, more so when the offence under Section 138 of the Negotiable

Instruments Act, 1881, is made compoundable.

4. Accordingly, the Criminal Revision Case is allowed and petitioner No.2/accused No.2 is acquitted of all charges in CrI.A.No.138 of 2013, on the file of III Additional District and Sessions Judge at Ranga Reddy District. Miscellaneous petitions, if any, pending in this criminal revision case shall stand closed.

C. PRAVEEN KUMAR, J

Date: 16th March, 2016

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[\[1\]](#) 2012 CJ(SC) 1246