

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRL.A.M.P. Nos.1279 AND 1280 OF 2016

AND

CRIMINAL APPEAL No.1203 OF 2014

JUDGMENT:

The Criminal Appeal is preferred by the appellant/accused challenging the Judgment, dated 17.11.2014, passed in Criminal Appeal No.631 of 2012, by the Court of the X Additional District and Sessions Judge (FTC), Ranga Reddy District, whereby the learned Sessions Judge allowed the appeal by reversing the order of acquittal, dated 28.09.2012, passed in C.C.No.126 of 2012 by the Court of the IX Special Magistrate, at L.B.Nagar, Ranga Reddy District, and convicted the appellant/accused for the offence under Section 138 of the Negotiable Instruments Act and sentenced him to suffer rigorous imprisonment for a period of two years and to pay compensation of Rs.20,00,000/- (Rupees twenty lakhs only), in default of payment of compensation, to suffer simple imprisonment for a period of one year.

Heard and perused the material available on record.

Admittedly the case is arising out of a financial dispute between the parties, whereby the petitioner was convicted for the offence under Section 138 of the Negotiable Instruments Act and was sentenced as stated above.

When the case is taken up for hearing, learned counsel for the appellant/accused as well as learned counsel for *de facto* complainant submit that they have filed CrI.A.M.P.Nos.1279 and 1280 of 2016 seeking permission of this Court to compound the offence and consequently, to quash the proceedings. Along with the said applications, they have filed the Joint Memo signed by the complainant as well as the appellant/accused and also the same is signed by counsel for both the

parties. Both the parties are present in the Court and asserted that they have entered into compromise.

Considering the above, the appellant/accused and the *de facto* complainant are permitted to compound the offence. In view of the amicable settlement of the dispute between the parties, CrI.A.M.P.Nos.1279 and 1280 of 2016 are ordered and the compromise is recorded. Consequent thereto, the Criminal Appeal is disposed of and the appellant/accused is acquitted of the offence under Section 138 of the Negotiable Instruments Act.

The Criminal Appeal is accordingly disposed of. Consequently, miscellaneous petitions, if any, pending, shall stand closed.

22.09.2016
pln



JUSTICE RAJA ELANGO