

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.2262 OF 2011

ORDER:

The Criminal Revision Case is filed under Sections 397 and 401 of Code of Criminal Procedure (Cr.P.C) by the petitioner/accused seeking to set aside the order, dated 11.11.2011, passed in CrI.A.No.321 of 2010 by the Court of Additional Sessions Judge, East Godavari at Rajahmundry, whereby the learned Sessions Judge dismissed the Criminal Appeal by confirming the conviction and sentence imposed by the trial Court against the petitioner/accused for the offence under Section 138 of the Negotiable Instruments Act.

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 read with 142 of the Negotiable Instruments Act and was sentenced to undergo simple imprisonment for a period of one year and that the lower appellate Court confirmed the said conviction and sentence imposed by the trial Court.

When the case is taken up for hearing, learned counsel for the petitioner as well as learned counsel for *de facto* complainant submit that the parties have settled the matter and as such, seeks permission of this Court to compound the offence and consequently, to quash the proceedings. Both the parties are present in the Court and asserted that they have entered into compromise.

Considering the above, the petitioner and the *de facto* complainant are permitted to compound the offence. In view of the amicable settlement of the dispute between the parties, the criminal revision case is allowed and the petitioner is acquitted of the offence under Section 138 of the Negotiable Instruments Act.

The Criminal Revision Case is accordingly allowed. Consequently, miscellaneous petitions, if any, pending, shall stand closed.

JUSTICE RAJA ELANGO

21.07.2016
pln