

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRL.R.C.M.P. No.1806 OF 2016

AND

CRIMINAL REVISION CASE No.387 OF 2013

ORDER:

The Criminal Revision Case is filed under Sections 397 and 401 of Code of Criminal Procedure (Cr.P.C) by the petitioner/A.2 seeking to set aside the order, dated 31.01.2013, passed in CrI.A.No.113 of 2011 by the Court of I Additional Sessions Judge, Warangal, whereby the learned Sessions Judge dismissed the Criminal Appeal by confirming the conviction imposed by the trial Court 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 of the Negotiable Instruments Act and was sentenced to undergo simple imprisonment for a period of six months and to pay a fine of Rs.5,000/- (Rupees five thousand only) 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 they have filed CrI.R.C.M.P.No.1806 of 2016 seeking permission of this Court to compound the offences and consequently, to quash the proceedings. Along with the said application, they have filed the Joint Memo signed by the complainant as well as the petitioner and also the same is signed by the 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 petitioner and the *de facto* complainant are permitted to compound the offence. In view of the amicable settlement of the dispute between the parties, CrI.R.C.M.P.No.1806 of 2016 is ordered and the compromise is recorded. Consequent thereto, 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

06.09.2016
pln

