

THE HON'BLE SRI JUSTICE RAJA ELANGO
CRL.R.C.M.P. NO.3683 OF 2016
&
CRIMINAL REVISION CASE No:2230 OF 2013

JUDGMENT:

Aggrieved by the judgment dated 27.9.2013 passed in Criminal Appeal No.38 of 2011 by the learned Additional District & Sessions Judge, Vikarabad, confirming the conviction and the sentence imposed in S.C.No:186 of 2008 vide judgment dated 28.12.2011 against the petitioners-accused by the learned Assistant Sessions Judge, Vikarabad, the present revision is filed by the accused.

The petitioners were tried by the trial Court in S.C.No.186 of 2008 for the offence under Sections 147, 148 and 307 r/w 149 IPC and they were convicted and sentenced as follows:

- 1) The petitioners-A1 to A7 were convicted and sentenced to undergo rigorous imprisonment for a period two years each for the offence punishable under section 147 IPC;
- 2) They were convicted and sentenced to undergo rigorous imprisonment for a period of two years each for the offence under Section 148 IPC;
- 3) Further, they were convicted and sentenced to undergo rigorous imprisonment for a period of five years each and to pay a fine of Rs.2,000/- each in default to suffer simple imprisonment for a period of one month each for the offence under Section 307 r/w 149 IPC;
- 4) All the sentences shall run concurrently.

Aggrieved by the same, the petitioners filed Crl.A.No.38 of 2011 before the Additional District & Sessions Judge, Vikarabad, Ranga Reddy District. The said appeal was dismissed. Hence, the petitioners filed this revision.

When this revision has come up for hearing, both the Counsel filed the above application viz., Crl.R.C.M.P.No.3683 of 2016 stating that the parties entered into compromise and the matter was settled and therefore,

the complainant prayed to grant permission to compound the above offences under which the petitioners were convicted, and to set aside the conviction and sentence imposed against the petitioners-accused for the above offences.

Both the parties as well as their Counsel have signed on the memorandum of compromise. A perusal of the affidavit of the complainant filed in support of the petition goes to show that the matter was settled and thereby, it is requested to set aside the judgments passed in Criminal Appeal No:38 of 2011 and S.C.No.186 of 2008 and to acquit the petitioners. The parties appeared before this Court and they were identified by their respective Counsel. The parties filed proof of identification.

In view of the amicable settlement of the dispute between the parties, the above petition is ordered and the compromise is recorded.

Accordingly, this Crl.R.C. is allowed setting aside the judgment passed in S.C.No:186 of 2008, dated 28.12.2011 by the Assistant Sessions Judge, Vikarabad as well as the judgment passed in Crl.A.No:38 of 2011 on 27.9.2013 by the Additional District & Sessions Judge, Vikarabad, in view of the compromise entered into by both the parties. Consequently, the petitioners were acquitted for the offence under Sections 147, 148 and 307 r/w 149 IPC. The fine amount paid, if any, shall be refunded to the petitioners. It is made clear that this compromise shall form part of the record.

JUSTICE RAJA ELANGO

Dated: 23.9.2016
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THE HON'BLE SRI JUSTICE RAJA ELANGO



23.9.2016

Nn.