

THE HON'BLE SRI JUSTICE RAJA ELANGO
CRL.R.C.M.P. NO.3814 OF 2016
&
CRIMINAL REVISION CASE No:2097 OF 2014

JUDGMENT:

Aggrieved by the judgment dated 17.9.2014 passed in Criminal Appeal No.330 of 2012 by the learned IV Additional District Judge, Ranga Reddy District at L.B. Nagar, confirming the conviction and the compensation imposed in C.C.No:235 of 2011 vide judgment dated 21.06.2012 against the petitioner-accused by the learned II Special Magistrate, Hasthinapuram, Ranga Reddy District, the present revision is filed by the accused.

The petitioner-accused was tried by the learned Special Magistrate in C.C.No.235 of 2011 for the offence under Section 138 of the Negotiable Instruments Act and he was convicted and sentenced to undergo rigorous imprisonment for a period of three months and to pay compensation of Rs.5,10,000/- to the complainant within two months from the date of judgment, in default, to suffer simple imprisonment for one month. Aggrieved by the same, the petitioner filed Crl.A.No.330 of 2012 before the IV Additional District Judge, Ranga Reddy District at L.B. Nagar. The said appeal was dismissed. Hence, the petitioner-accused 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.3814 of 2016 stating that the parties entered into compromise and the matter was settled and therefore, the complainant prayed to record the compromise and acquit the accused.

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 the petitioner-accused agreed to pay Rs.3,00,000/- by way of cash to the complainant and the complainant agreed to receive the same as full and final settlement. Therefore, it is requested to set aside the judgments passed in Criminal Appeal No:330 of 2012 and C.C.No.235 of 2011 and acquit the petitioner. The parties appeared before this Court and they were identified by their respective Counsel. The parties filed proof of identification also.

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

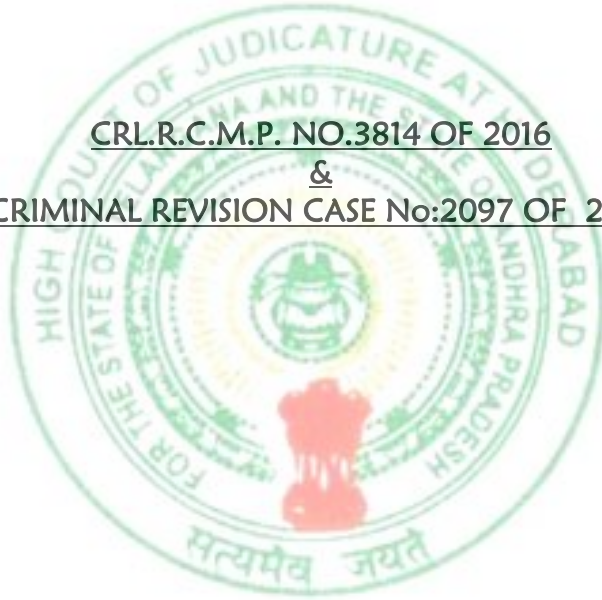
Accordingly, this Crl.R.C. is allowed setting aside the judgment dated 17.9.2014 passed in Criminal Appeal No.330 of 2012 by the learned IV Additional District Judge, Ranga Reddy District at L.B. Nagar, confirming the conviction and the compensation imposed in C.C.No:235 of 2011 vide judgment dated 21.06.2012 against the petitioner-accused by the learned II Special Magistrate, Hasthinapuram, Ranga Reddy District, in view of the compromise entered into by both the parties. Consequently, the petitioner-accused was acquitted for the offence under Section 138 of the Negotiable Instruments Act. It is made clear that this compromise shall form part of the record.

JUSTICE RAJA ELANGO

Dated: 30.9.2016
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30.9.2016

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