

THE HON'BLE SRI JUSTICE RAJA ELANGO
CRIMINAL REVISION CASE No.128 OF 2016

ORDER:

This Criminal Revision Case is filed by the petitioner, under Sections 397 and 401 of the Code of Criminal Procedure, seeking to relax the condition imposed in Crl.A.M.P.1 of 2016 in Crl.A. No.1151 of 2015 by the IV Additional District & Sessions Judge, Ranga Reddy District, whereby the learned Sessions Judge, while suspending the Judgment, dated 03.12.2015, in CC No.168 of 2014 by the VIII Special Magistrate, L.B. Nagar, Hasthinapur, R.R. District, directed the petitioner to deposit 1/4th of the compensation amount awarded by the trial Court.

Heard and perused the material available on record.

Petitioner is the accused in CC No.168 of 2014 for the offence punishable under Section 138 of the Negotiable Instruments Act. The trial Court sentenced the petitioner to suffer simple imprisonment for a period of one year and also directed him to pay Rs.4,58,000/- towards compensation to the de facto complainant, in default to suffer simple imprisonment for a period of six months, for the above said offence. Against the said order, the petitioner filed Crl.A. No.1151 of 2015 along with Crl.P.M.P. No.1 of 2016 seeking suspension of the operation of the judgment passed by the trial Court. The appellate Court, while suspending the operation of the judgment of the trial Court, passed a conditional order directing the petitioner to deposit 1/4th of the compensation amount before the trial Court, within a period of (15) days from the date of that order.

Aggrieved by the above order, the petitioner filed the present revision.

Considering the arguments of both the learned counsel and in view of the fact that the main appeal is pending before the appellate Court with regard to imposition of sentence, this Court is inclined to pass the following order:

“The order, dated 05.01.2016, passed in CrI.M.P. No.1 of 2016 in Cr.A. No.1151 of 2015, passed by the IV Additional District & Sessions Judge, Ranga Reddy District, directing the petitioner to deposit 1/4th of the compensation amount, is suspended till disposal of the criminal appeal and the petitioner is directed to execute a personal bond for a sum of Rs.5,000/- with one surety for the like sum to the satisfaction of the appellate Court for his future appearance before the appellate Court.”

With the above modification, the Criminal Revision Case is disposed of. Miscellaneous petitions, pending if any, shall stand closed.

RAJA ELANGO, J

January 19, 2015
KTL