

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No.10705 of 2016

ORDER :

The present Criminal petition is filed seeking reduction of the amount of Rs.1,00,000/- directed to be deposited as compensation as per the orders passed in CrI.M.P.No.44 of 2016 in CrI.A.No.539 of 2016, dated 27.06.2016 on the file of the XIII Additional District and Sessions Judge, Ranga Reddy.

A perusal of the material on record would show that in C.C.No.160 of 2016 the petitioner was convicted for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, sentenced to undergo simple imprisonment for one year and to pay compensation of Rs.12,70,000/. Aggrieved by the same, the petitioner preferred CrI.A.No.539 of 2016. Pending appeal, the petitioner also filed CrI.M.P.No.44 of 2016 seeking suspension of the sentence.

By an order, dated 27.06.2016, the appellate Court suspended the operation of sentence of imprisonment till the disposal of the appeal and further directed the petitioner to deposit 10% of the cheque amount ie. Rs.1,00,000/- in the lower Court within 30 days. Aggrieved by the same, the present petition is filed.

It is to be noted that the cheque amount is Rs.10,00,000/-. The amount which was ordered to be deposited is Rs.1,00,000/-, which cannot be said to be un-reasonable in view of the judgment of the Apex Court in **Dilip S.Dahanukar V. Kotak Mahindra Co. Ltd.**^[1] Having regard to the facts in issue, the time granted to the petitioner to deposit the amount is extended by one month from today.

Accordingly, the Criminal Petition is disposed of.

JUSTICE C. PRAVEEN KUMAR

29.07.2016

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[\[1\]](#) (2007) 6 SCC 528