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HIGH COURT OF CHHATTISGARH, BILASPUR**CRR No. 348 of 2017**

- D. Prakash Rao S/o Late D G Krishna, Aged About 46 Years R/o Quarter No. 116/ D, Road- 17, Railway Colony, B. M. Y. Charoda, Bhilai, Tahsil & District- Durg, Through Chief Executive Engineer, Doorsanchar Office, Durg, Police Station- City Kotwali, Durg, District- Durg, Chhattisgarh.

---- Applicant

Versus

- Anil Kumar Kushwaha S/o Dharohar Prasad Kushwaha Aged About 55 Years R/o Chandranagar, Umarpoti, Post- Purai, Police Station- Nevai, Tahsil & District- Durg, Chhattisgarh.

---- Respondent

For Applicant	:	Shri Vipin Tiwari, Advocate
For Respondent	:	Shri RK Jain, and Shri N.K. Jaiswal, Advocates
		Ms. D. Shanti, wife of the applicant and Anil Kumar Kushwaha, the respondent, are also present in person before this Court.

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****12/10/2017**

1. This revision is against the order dated 28.06.2016 passed in Criminal Appeal No.74 of 2016, whereby the applicant has been imposed with sentence of imprisonment till rising of the Court and compensation of Rs.3,80,000/- has been directed to pay.
2. An application under Section 320 (2) of the Cr.P.C. has been filed with an agreement, wherein it is stated that out of the total fine amount of Rs. 3,80,000/-, Rs. 1 Lakh has been paid and rest of the amount of Rs.2,80,000/- would be paid after three months from 08.10.2017 in

installments of Rs.31,111/-, which would be payable till 9 months and in case the installment is not paid, the entire order of conviction may be restored.

3. The respondent is also present in person along with his counsel and is identified. He would submit that he agrees to the compromise and it has been effected without any undue influence and pressure.
4. Considering the fact that the offence has been compounded under Section 147 of the Negotiable Instruments Act, in view of the compromise, which has been effected between the parties, the order of conviction and sentence dated 15.03.2016 passed by the JMFC, Durg in R.C.C. No.804/2014 and the order dated 28.06.2016 passed by Additional Sessions Judge, Durg in Criminal Appeal No.74/2016, are quashed subject to the terms of compromise. The applicant is acquitted of the charges leveled against him. He be released forthwith.

Sd/-

Goutam Bhaduri
Judge

Ashu