

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

Crl.R.C.M.P.No.1764 of 2017

IN/AND

Crl.R.C.Nos.2359 & 2372 of 2012

ORDER:

The accused is the revision petitioner. Aggrieved by the private complaint case in C.C.Nos.556 and 317 of 2005 out come of dishonour of 2 cheques each for Rs.5,00,000/- in C.C.No.556 of 2005 marked as Exs.P2 and P3 and one cheque for Rs.6,75,000/- in C.C.No.317 of 2005 marked as Ex.P13 respectively in the common trial of both the cases from the private complaints maintained by the complainant, ended in conviction by trial Court judgment dated 03.09.2010 including went unsuccessful in the appeals maintained by the accused, the revisions are maintained.

It is in the course of hearing both the revisions, at request of both sides for common disposal by clubbing together Crl.R.C.M.P.No.1764 of 2017 is filed to permit compounding of the offence covered by the 2 revisions. It is subject to payment of 10% of the respective cheque amounts vide decisions **Damodar S.Prabhu Vs. Sayed Babalal¹** and **R.Vijayan Vs. Baby²**, permission is accorded under Section 147 of the Negotiable Instruments Act and proof is filed with regard to payment of Rs.67,500/- & Rs.1,00,000/- respectively to the Chief Justice Relief Fund.

The accused and the complainant are one and the same in the two revisions since present and they stated that they settled the issue outside the Court. In view of payment of compounding

¹ 2010 (5) SCC 663

² 2012 (1) SCC 260

fee and compromise of the parties, the offence is compounded and the conviction judgments of the trial Court confirmed by the lower appellate Court by virtue of this order are set aside and the accused are acquitted. The bail bonds of the accused, if any, shall stand cancelled.

In the result, CrI.R.C.M.P.No.1764 of 2017 and both the criminal revision cases are allowed. Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 17.04.2017
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