

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

Crl.R.C.M.P.No.3925 of 2017

IN/AND

CRIMINAL REVISION CASE No.2392 of 2017

ORDER:

Crl.R.C.M.P.No.3925 of 2017 is filed under Section 320 Cr.P.C., seeking leave of this Court to compound the offence punishable under Section 420 IPC.

2. Both the complainant and the daughter of the petitioner/A.1, who is in jail, are present. The petitioner/A.1 was found guilty for the offence punishable under Section 420 IPC and accordingly, he was convicted by the trial Court and confirmed by the appellate Court.

3. The complainant and daughter of A.1 are present and they are identified by their respective counsel. They also filed Photostat copy of Aadhar cards in proof of their identity. When terms of compromise are explained in vernacular language, they are admitted to be true and correct. In the Joint Memorandum of Compromise filed by both parties would show that the matter was compromised at the intervention of elders and A.1 paid an amount of Rs.1,25,000/- (Rupees one lakh twenty five thousand only) to the *de facto* complainant towards settlement of the case. The complainant acknowledged receipt of the amount and she has no objection to acquit the accused for the offence punishable under Section 420 IPC.

4. Learned counsel for the petitioner submits that the petitioner/A.1 is in jail and he is suffering from heart problem.

5. Taking into consideration the facts and circumstances of the case, permission is accorded to compound the offence referred supra

and accordingly, CrI.R.C.M.P.No.3925 of 2017 is allowed compounding the offence referred supra.

7. In view of the orders passed in CrI.R.C.M.P.No.3925 of 2017, the Criminal Revision Case is allowed setting aside the conviction and sentence recorded by the Additional Judicial Magistrate of First Class, Ramachandrapuram, East Godavari District, in C.C.No.277 of 2017 on 07.12.2015 confirmed by the learned Special Judge for Trial of Cases under SCs and STs (POA) Act-cum-X Additional District and Sessions Judge, Rajahmundry in CrI.A.No.661 of 2015 on 24.08.2017 and acquitted the petitioner/A.1 for the offence punishable under Section 420 IPC. Petitioner/A.1 be set at liberty forthwith, in case, he is not required in any other case, without furnishing any security.

Consequently, miscellaneous applications pending, if any, shall stand dismissed.

SEPTEMBER 06, 2017

Note: Furnish C.C.today.

(B/o)
YVL

M. SATYANARAYANA MURTHY, J

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Date: 06.09.2017