

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

**Crl.R.C.M.P.No.4727 of 2016
in/
and
CRIMINAL REVISION CASE No.2999 of 2016**

ORDER :

From the docket order permission to compound offence punishable under Section 138 of the Negotiable Instruments Act, 1881 (for brevity "the Act"), outcome of the concurrent findings, finding the petitioner/accused guilty, which is the subject matter of the present revision admitted, from the application filed under Section 147 of the Act by mentioning that they are ready to pay the compounding fee from within the discretionary power from the expression of the Apex Court in DAMODAR S. PRABHU v. SAYED BABALAL¹ and R. VIJAYAN v. BABY², 10% of the compounding fee, otherwise upto 15% can be imposed, is ordered to be paid and since paid to the Chief Justice Relief Fund and proof thereof vide Receipt No.21, dated 13.02.2017 filed, which is placed on record, from the Revision Petitioner/Accused and the 1st respondent/complainant present and stated that they settled the claim outside the Court for nothing due, the same is recorded and the offence is compounded.

2. Accordingly, the present Criminal Revision Case is allowed, setting aside the conviction judgment dated 28.09.2015 in C.C.No.502 of 2013 passed by the IX Special Magistrate, Hyderabad, as confirmed vide judgment dated 21.10.2016 in Crl.A.No.862 of 2015 passed by the III Additional Metropolitan

¹ (2010) 5 SCC 663

² (2012) 1 SCC 260

Sessions Judge, Hyderabad, and the bail bonds executed by the accused are cancelled.

3. As a sequel, miscellaneous petitions pending, if any, in this revision shall stand closed.

Dr. JUSTICE B. SIVA SANKARA RAO

13.02.2017
Msr



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