

THE HON' BLE SRI JUSTICE M. SEETHARAMA MURTI

CrI.R.C.MP.Nos.2389 & 2390 of 2017 in/and
CrI.R.C.No.1180 of 2015

COMMON ORDER:

The Criminal Revision Case is filed, under Sections 397 and 401 of the Code of Criminal Procedure, 1973, ('the CrPC', for short) assailing the judgment, dated 29.06.2015 in CrI.A.No.34 of 2013, whereby the learned Special Sessions Judge for trial of offences under SCs & STs (POA) Act-cum-V Additional Sessions Judge, while dismissing the said appeal had confirmed the judgment of conviction dated 28.02.2013 in C.C.No.239 of 2009 on the file of the Court of the learned Judicial Magistrate of First Class (Spl.Mobile), Karimnagar.

In the pending criminal revision case, the petitioner-accused and the 1st respondent-complainant filed CrI.RC.MP.Nos.2389 & 2390 of 2017 requesting to permit them to enter into compromise and enable the 1st respondent-complainant to withdraw the criminal revision case and accordingly acquit the petitioner-accused.

When the matter was taken up for hearing on 09.06.2017, the petitioner-accused and the 1st respondent-complainant are present. They produced copies of their respective identity proofs. They are also identified by their respective counsel. Both the parties stated that they have amicably settled the matter and further asserted the terms of the compromise. Thus, they sought permission to compound the offence and allow the criminal revision case and set aside the judgment of the appellate Court whereby the judgment of the trial Court is confirmed and acquit the accused.

The 1st respondent-complainant further stated that he received an amount of Rs.1,75,000/- towards full and final settlement and that no further amounts are due to him from the petitioner-accused.

Further, in compliance of the guidelines in the decisions in Damodar S. Prabhu v. Sayed Babalal¹ and R. Vijayan v. Baby², the petitioner paid a sum of Rs.17,500/- (10% of the cheque amount) to the High Court Legal Services Committee by way of Demand Draft bearing No.886595 drawn on the Secretary, High Court Legal Services Committee *vide*, Receipt No.825 dated 12.06.2017.

In the circumstances, CrI.RC.MP.Nos.2389 & 2390 of 2017 are allowed and the petitioner-accused and the 1st respondent-complainant are permitted to compound the offence. Consequently, Criminal Revision Case is allowed and the judgment, dated 29.06.2015 of the learned Special Sessions Judge for trial of offences under SCs & STs (POA) Act-cum-V Additional Sessions Judge, in CrI.A.No.34 of 2013 whereby the judgment of conviction dated 28.02.2013 in C.C.No.239 of 2009 on the file of the Court of the learned Judicial Magistrate of First Class (Spl.Mobile), Karimnagar, was confirmed is set aside and the petitioner-accused is acquitted of the offence/s for which he was found guilty. His bail bonds shall stand cancelled. The Joint Memo filed by the parties shall form part of this order.

Miscellaneous petitions pending, if any, shall stand closed.

JUSTICE M. SEETHARAMA MURTI

13.06.2017
Vjl

¹ 2010 (5) SCC 663

² 2012(1) SCC 260