

HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

CRIMINAL REVISION CASE No.2000 of 2005

JUDGMENT:

This Criminal Revision Case, under Sections 397 and 401 Cr.P.C, is filed questioning the propriety, legality and regularity of the sentence imposed by the Appellate Court reducing substantive sentence of Simple Imprisonment for six months to two months while confirming the fine amount, having found that the Appellant guilty for the offence punishable under Section 138 of NI Act.

It is the contention of the learned counsel for the appellant that the appellant is aged 68 years by now and he already served one month sentence and paid fine of Rs.5000/- before the trial Court, which is confirmed by the Appellate Court, and he also paid Rs.10,000/- as part payment and the said fact was recorded in the judgment of the trial Court at para No.20 and the total amount due was to Rs.17,104/-.

Taking into consideration the mitigating circumstances like age, the amount involved in the offence and conduct of the appellant in payment of the amount during pendency of the proceedings before the trial Court, the punishment imposed by the trial Court against the Appellant is reduced to the punishment he had already undergone while enhancing fine amount from Rs.5000/- to Rs.7,000/-. Out of fine amount, Rs.6,000/-(Rupees Six Thousand only) shall be paid to the complainant as compensation under Section 357(3) Cr.P.C.

With the above modification, this Criminal Revision Case is allowed in part.

As a sequel, miscellaneous petitions, if any, pending in this case, shall stand dismissed.

M. SATYANARAYANA MURTHY, J

Date: 10-08-2017.
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