

HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

CRL.R.C.M.P.Nos.3727 and 3728 of 2017

in/and

CRIMINAL REVISION CASE No.2193 of 2017

COMMON ORDER :

Crl.R.C.M.P.Nos.3727 and 3728 of 2017 are filed to permit the petitioner/accused to record compromise in C.C.No.103 of 2014 for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881 (for short, 'NI Act') and to acquit the petitioner/accused in the above calendar case, respectively.

2. The complainant is present. Since the petitioner is in jail, the father of the petitioner appeared before this Court. Both father of petitioner and complainant are identified by their respective counsel and filed Aadhar Cards in proof of their identity and they unanimously stated that they entered into compromise voluntarily.

3. As per the terms of compromise, the complainant admitted that he received an amount of Rs.60,000/- (Rupees Sixty Thousand only) towards full and final settlement and the petitioner also paid 15% of the cheque amount as per the directions of the Apex Court.

4. Hence, I find that both parties entered into compromise voluntarily and accordingly recorded.

5. Since the settlement is in the interest of both parties, I find that it is a fit case to record compromise entered into between the parties.

6. Accordingly, both the petitions are allowed.

Crl.R.C.No.2193 of 2017:

7. In view of the order passed in Crl.R.C.M.P.Nos.3727 and 3728 of 2017, this revision is allowed in terms of memorandum of compromise, acquitting the petitioner for the offence punishable under Section 138 of NI Act setting aside the conviction and sentence passed by the trial Court and affirmed by the appellate Court. The petitioner shall be set at liberty, henceforth.

8. Miscellaneous petitions pending, if any, shall also stand closed.

M. SATYANARAYANA MURTHY, J

17th August 2017

Note:

Registry is directed to send the copy of the order to the Central Jail, Kadapa, immediately.

(b/o)
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