

THE HON'BLE SRI JUSTICE M. SEETHARAMA MURTI

Crl.R.C.M.P.No.2491 of 2017 in/and
Crl.R.C.No.1541 of 2017

COMMON ORDER:

The Criminal Revision Case is filed, under Sections 397 and 401 of the Code of Criminal Procedure, 1973, ('the Cr.P.C', for short) assailing the judgment, dated 23.02.2017, in Crl.A.No.642 of 2013, whereby the learned Additional Metropolitan Sessions Judge, Cyberabad, while dismissing the said appeal had confirmed the judgment of conviction, dated 11.10.2013, in C.C.No.118 of 2012, on the file of the Court of the learned II Special Magistrate, at Hastinapuram, Ranga Reddy District.

2. In the pending criminal revision case, the 1st respondent-complainant filed Crl.R.C.M.P.No.2491 of 2017 under Section 147 of the Negotiable Instruments Act, 1881 (for short, 'the Act') requesting to record the compromise arrived at between the petitioner and the 1st respondent and to compound the offence under Section 138 of the Act and allow the criminal revision case and set aside the judgment of the appellate Court whereby the judgment of the trial Court is confirmed.

3. When the matter is taken up for hearing, 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 that the terms of settlement are reduced into writing in the form of a Joint Memo filed with the Miscellaneous Petition and that pursuant to the settlement, the petitioner-accused paid a total amount of Rs.11,00,000/- (i.e., Rs.9,00,000/- has been paid by way of a demand draft and Rs.2,00,000/- in cash) towards full and final

settlement of the claims of the 1st respondent and that the 1st respondent received the same towards full satisfaction.

4. Further, in compliance of the guidelines in the decisions in **Damodar S. Prabhu v. Sayed Babalal**¹ and **R. Vijayan v. Baby**², the petitioner paid a sum of Rs.62,000/- (10% of the cheque amount) to the High Court Legal Services Committee by way of Demand Draft bearing No.886625, drawn on the Secretary, High Court Legal Services Committee *vide*, Receipt No.827, dated 14.06.2017.

5. In the circumstances, CrI.R.C.M.P.No.2491 of 2017 is 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 23.02.2017, of the learned Additional Metropolitan Sessions Judge, Cyberabad, in CrI.A.No.642 of 2013 whereby the judgment of conviction, dated 11.10.2013, in C.C.No.118 of 2012, on the file of the Court of the learned II Special Magistrate, at Hastinapuram, Ranga Reddy District, 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

Date: 14th June, 2017

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Note: Issue C.C. by 19.06.2017.

(B/o.)

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¹ 2010 (5) SCC 663

² 2012(1) SCC 260

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