

HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

CRL.R.C(MP) No.3927/ 2017 in CrI.R.C.No.2300 of 2017
&
CRIMINAL REVISION CASE No.2300 of 2017

COMMON ORDER:

CrI.R.C.MP.No.3927 of 2017

This Petition is filed under Section 147 of Negotiable Instrument Act seeking permission to compound the offence punishable under Section 138 of NI Act since the petitioner paid 15% of the dishonoured cheque amount i.e., Rs.22,500/- vide Receipt No.897, dt.07.09.2017 in compliance of Judgment in Damodar S Prabhu Vs. Sayed Baba Lal H [AIR 2010 SC 1907) as a pre-condition to compound the offence.

The complainant present in Court and he is identified by his counsel and he also furnished the copy of Aadhar Card in proof of his identity.

The contents of the compromise are read over and explained in Telugu, he admitted the contents to be true. The complainant admitted that he received the dishonoured cheque amount towards full and final settlement of the compromise. Hence, this Court find that the compromise is voluntarily and therefore, the present Petition is liable to be allowed.

Accordingly, CrI.R.C.M.P.No.3927 of 2017 is allowed.

CrI.R.C.No.2300 of 2017

In view of the Orders in CrI.R.C.M.P.No.3927 of 2017, this Criminal Revision Case is allowed, setting aside the conviction and sentence imposed by the trial Court, confirmed by the Appellate Court,

acquitting the petitioner/accused for the offence punishable under Section 138 of Negotiable Instrument Act. The accused is set at liberty forthwith if he is not required in any other case.

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

M. SATYANARAYANA MURTHY, J

Date: 07-09-2017.

Note: Issue C.C. today.
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