

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CrI.R.C.M.P.No.3442 OF 2017
IN/AND
CRIMINAL REVISION CASE NO.1657 OF 2017

ORDER:

CrI.R.C.M.P.No.3442 OF 2017

This miscellaneous petition is filed under Section 320(2) Cr.P.C seeking leave to compound the offence punishable under Section 138 of the Act. Learned counsel for the petitioner and the defacto complainant submits that the matter is settled out of the Court and filed a joint memo to that effect.

The defacto complainant and the first respondent are also present and they are identified by their respective counsel. When terms of compromise are explained in vernacular language, they are admitted to be true and correct. The defacto complainant specifically stated that he received the entire amount of Rs.6,00,000/- through different demand drafts and agreed for compromise and it is reduced into writing.

Further, by following guideline no.3 of the judgment in **Damodar S Prabhu Vs. Sayed Baba Lal H¹**, i.e. direction to pay 15% of the cheque amount to be deposited as a condition for compounding, with the High Court Legal Services Committee, the learned counsel for the petitioner/accused produced receipt No.900 confirming payment of Rs.90,000/- by way of Demand Draft bearing No.887648 dated 12.09.2017 to the High Court Legal Services Committee and complied with the said condition.

¹ AIR 2010 SC 1907

Hence, I find that the compromise is voluntary and permission is granted to compound the offence, in view of payment of requisite amount to High Court Legal Services Committee and Rs.6,00,000/- to the complainant by way of demand drafts, as per settlement.

Crl.R.C. NO.1657 OF 2017

In view of the orders passed in Crl.R.C.M.P.No.3442 OF 2017, the present criminal revision case is allowed.

In the result, criminal revision case is allowed and the petitioner/accused is set at liberty forthwith, in case, he is not required in any other case, without furnishing any security

Consequently, miscellaneous applications pending if any, shall stand dismissed. No costs.

JUSTICE M. SATYANARAYANA MURTHY

Date:12.09.2017

SP

Note: copy by 13.09.2017
b/o
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