

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRI.R.C.M.P. No.4574 OF 2017

IN/AND

CRIMINAL REVISION CASE No.2802 OF 2017

COMMON JUDGMENT:

Crl.R.C.M.P. No.4574 of 2017 is filed by the petitioner - respondent No.2 - complainant seeking to compound the offence punishable under Section 138 of the Negotiable Instruments Act, 1881 (for short 'Act, 1881') against respondent No.1 - revision petitioner - accused.

2. Learned counsel for both parties would submit that pursuant to the order, dated 08.11.2017, passed by this Court in Crl.R.C.M.P. No.4573 of 2017, while permitting the parties to enter into compromise, directed the revision petitioner - accused to pay 15% of the cheque amount i.e., Rs.45,000/- by way of costs to the Telangana State Legal Services Authority, Hyderabad, and accordingly, the amount was remitted and even a receipt is filed in proof thereof.

3. Perused the receipt issued by the Accounts Officer, Telangana State Legal Services Authority, Hyderabad, evidencing the payment of Rs.45,000/- by Sri M. Sudarshan, learned counsel for the revision petitioner - accused. Hence, compromise is recorded, as prayed for, compounding the aforesaid offence and acquitting the revision petitioner - accused for the said offence.

4. Therefore, Crl.R.C.M.P. No.4574 of 2017 is allowed compounding the aforesaid offence and, consequently, Criminal Revision Case is allowed, setting aside the conviction recorded and sentence of imprisonment till rising of the Court and the fine amount of Rs.3,00,000/- imposed by the learned III Special Magistrate at Erramanzil, Hyderabad, in Calendar Case No.387 of 2013 (Old Calendar Case No.302 of 2012) for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881, as confirmed by the learned II Additional Metropolitan Sessions Judge, Hyderabad, in Criminal Appeal No.508 of 2014, by judgment, dated 07.12.2016.

5. Since it is represented that the revision petitioner - accused is in Central Prison, Women Cell, Chanchalguda, Hyderabad, to serve out the default sentence of imprisonment as fine imposed was not paid, she is directed to be released forthwith.

As a sequel thereto, Miscellaneous Petitions, if any, pending in criminal revision case, stand closed.

A. SHANKAR NARAYANA, J

November 15, 2017.

Mgr