

HONOURABLE SRI JUSTICE U.DURGA PRASAD RAO

Criminal Revision Case No.141 of 2018

ORDER:

Heard Sri Mummaneni Srinivasa Rao, learned counsel for petitioners and Sri M.Vijaya Kanth, learned counsel for 2nd respondent and with their consent this revision is disposed of at the admission stage.

2) This Criminal Revision Case is preferred by the petitioners aggrieved by the order dated 03.01.2018 in CrI.M.P.No.3443/2017 in CrI.A.No.1413/2017 on the file of Metropolitan Sessions Judge, Hyderabad, whereby and whereunder the learned Judge while allowing the petition directed the petitioners to deposit 50% of the cheque amount on or before 22.01.2018.

3) The submission of learned counsel for petitioners is that the 1st petitioner company suffered huge loss and therefore, it is very difficult for him to deposit 50% of the cheque amount (Rs.35,00,000 X ½ = Rs.17,50,000) at once and therefore, the order of the lower Appellate Court may be modified suitably. He also placed reliance on the decision in *Dilip S.Dahanukar vs. Kotak Mahindra Co.Ltd & another*¹ to submit that the compensation awarded and conditions imposed for suspension of sentence in offence under Section 138 Negotiable Instruments Act, shall be reasonable one.

¹ (2007) 6 SCC 528

4) Having regard to the above submission, the order of the lower Appellate Court is modified to the effect that the petitioner shall deposit 50% of the cheque amount within four (4) months from the date of this order either at once or installments wise.

5) This Criminal Revision Case is disposed of accordingly.

As a sequel, miscellaneous applications pending, if any, shall stand closed.

Date: 07.02.2018

Note: Issue C.C today.

(b/o)
scs

U. DURGA PRASAD RAO, J

