

THE HON'BLE DR.JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION NO. 883 OF 2018

ORDER:

This petition is filed by the petitioner-accused under Section 482 Cr.P.C. to quash the order dated 12.01.2018 passed in CrI.M.P. No.86 of 2018 in Criminal Appeal No.18 of 2018 on the file of the Metropolitan Sessions Judge, Hyderabad to the extent of directing the petitioner to deposit half of the cheque amount.

2. Heard the learned counsel for the petitioner, learned Assistant Public Prosecutor representing the State and perused the record.

3. While dealing with the matter of seeking suspension of sentence of imprisonment imposed in judgment dated 12.12.2017 in C.C. No. 379 of 2015 on the file of the XV Special Magistrate, Hyderabad for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881, the learned Sessions Judge suspended the sentence of imprisonment imposed by the trial Court on condition of petitioner/accused depositing half of the cheque amount on or before 07.02.2018 and in addition, the petitioner/accused was also directed by abide by the terms and conditions imposed by the trial Court while suspending the sentence. Having regard to the circumstances narrated, the impugned order is modified and the petitioner/accused is directed to deposit 15% of the amount covered by the dishonoured cheque within two weeks from today, instead of 50% as directed by the learned Sessions Judge. The other conditions imposed by the learned Sessions Judge remain unaltered.

4. With the above modification, the Criminal Petition is disposed of. Miscellaneous petitions, if any, pending in this petition shall stand closed.

DR.SHAMEEM AKTHER, J

DATED: 15.02.2018
DRK

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