

HON'BLE SRI JUSTICE P. KESHA RAO

I.A.No.4 of 2018

AND

CRIMINAL REVISION CASE No.852 of 2018

COMMON ORDER:

Heard the learned counsel for the parties.

The present revision case is filed aggrieved by the judgment dated 02.01.2017 passed in CrI.A.No.168 of 2014 on the file of the I Additional Metropolitan Sessions Judge, Visakhapatnam, confirming the conviction passed in C.C.No.428 of 2013 dated 30.07.2014 on the file of the Special Judicial First Class Magistrate (P&E), Visakhapatnam, whereunder the petitioner was sentenced to undergo simple imprisonment for a period of three months and to pay compensation of Rs.67,000/- and in default to suffer simple imprisonment for a period of fifteen days and also sentenced to pay a fine of Rs.1,34,000/- i.e., double the cheque amount for the offence under Section 138 of the Negotiable Instruments Act.

During the pendency of the present revision case, the parties have settled the matter outside the Court and to have peace and tranquility, the de facto complainant decided to withdraw the cases pending against the petitioner and to that effect, they filed I.A.No.4 of 2018 to record the compromise entered into between them and the revision petitioner/accused and allow the criminal revision case in accordance with the joint memo of compromise filed by them.

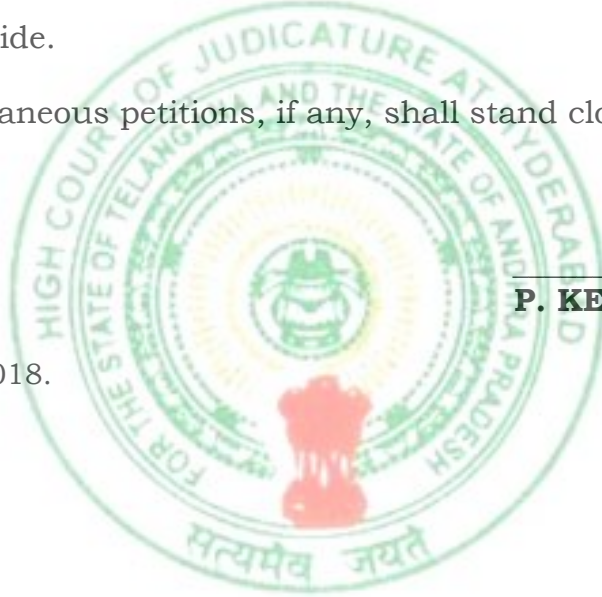
Both the parties present and are identified by their respective counsel. They produced xerox copies of the Aadhar cards and the same are made as part of the record.

Having regard to the facts and circumstances of the case and in view of the affidavit filed by the de facto complainant and the joint memo of compromise filed by both the parties, I.A.No.4 of 2018 is allowed.

Consequently, the criminal revision case is allowed. The conviction and sentence recorded against the petitioner/accused in C.C.No.428 of 2013 dated 30.07.2014 on the file of the Special Judicial First Class Magistrate (P&E), Vuisakhapatnam, and as confirmed in Crl.A.No.168 of 2014 dated 02.01.2017 on the file of the I Additional Metropolitan Sessions Judge, Visakhapatnam, are hereby set aside.

Miscellaneous petitions, if any, shall stand closed.

Date: 16.07.2018.
ES



P. KESHAVA RAO, J