

HONOURABLE SRI JUSTICE P. KESHAVA RAO

I.A.No. 3 of 2018

IN/ AND

CRIMINAL REVISION CASE No. 1297 of 2018

ORDER:

Heard the learned counsel for the petitioner as well as second respondent.

Both parties present today and they are identified by their respective counsel. When examined, the second respondent stated that he has settled the dispute with the petitioner and is not interested in pursuing the matter.

The present criminal revision case is filed against the judgment in CrI.A.No.98 of 2015 dt.8.03.2018 on the file of the IV Addl.Metropolitan Sessions Judge, Hyderabad confirming the judgment in C.C.No.82 of 2014 dt.27.1.2015 on the file of the VII Special Magistrate, Hyderabad and sentencing the petitioner to undergo rigorous imprisonment for a period of two years and directed to pay fine of Rs.12 lakhs in default the petitioner was further sentenced to undergo simple imprisonment for six months. Out of the fine amount, a sum of Rs.11 lakhs is awarded as compensation to the complainant i.e. the second respondent herein.

During the pendency of the criminal revision, the second respondent in the main criminal revision case filed the application in I.A.No. 3 of 2018 under section 147 of the Negotiable Instruments Act to record the compromise and to permit them to compound the offence under Section 138 of the Negotiable Instruments Act for

which the revision petitioner was convicted and to pass appropriate orders.

In the affidavit filed in support of the said application, the second respondent/de facto complainant has categorically stated that the elders known to both the parties amicably resolved the matter between them and the matter is settled out of the court. As per the settlement arrived at, the petitioner/accused paid the entire amount to de facto complainant in the presence of the elders in cash. In the open Court on questioning, the petitioner/2nd respondent/de facto complainant in I.A.No.3 of 2018, admitted that he has received the entire amount and he has no objection if the compromise is recorded compounding the offence under Section 138 of the Negotiable Instruments Act for which the petitioner/accused was convicted. The Xerox copy of the adhaar card produced as I.D. proof is made part of the record.

Keeping in view the above said facts and also recording the settlement arrived at between the parties, I.A.No.3 of 2018 is allowed and consequently, criminal revision case is disposed of in terms of the compromise arrived at between the parties.

The miscellaneous petitions, if any, pending in this criminal revision case shall stand closed.

P. KESHA VA RAO,J

Date:08.06.2018
Ccm

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