

HON'BLE SRI JUSTICE P. KESHA RAO

I.A.No.3 of 2018

AND

CRIMINAL REVISION CASE No.1412 of 2018

COMMON ORDER:

Heard the learned counsel for the revision petitioner/accused and the 2nd respondent/complainant.

I.A.No.3 of 2018 is filed by the complainant seeking permission of the Court to withdraw the complaint filed in C.C.No.478 of 2014 against the petitioner for the offence under Section 138 of the Negotiable Instruments Act.

In the affidavit filed in support of the application it is stated that the revision petitioner/accused approached the complainant for settlement by paying an amount of Rs.1,10,000/- for which the complainant agreed. Accordingly, the petitioner/accused paid the said amount vide D.D.Nos.928444, 928445 for Rs.49,000/- each and another D.D.No.928446 for Rs.12,000/- drawn on Andhra Bank, Vizianagaram district.

Learned counsel appearing for the 2nd respondent submitted that the amounts have been received by the 2nd respondent.

In fact, the petitioner and the 2nd respondent are present in the Court and they are identified by their respective counsel. The Xerox copies of their aadhar cards are filed and the same are made part of the record.

On questioning, it is informed to the Court that they have compromised the matter outside the Court and the revision petitioner paid the agreed amount to the 2nd respondent under the above said demand drafts.

In view of the above, I.A.No.3 of 2018 is ordered.

In the light of the orders passed in I.A.No.3 of 2018, the criminal revision case is allowed, setting aside the judgment dated 27.11.2017 passed in CrI.A.No.46 of 2016 on the file of the I Additional District and Sessions Judge, Vizianagaram, confirming the judgment dated 22.03.2016 passed in C.C.No.478 of 2014 on the file of the Judicial Magistrate of First Class (Special Mobile), Vizianagaram.

Miscellaneous petitions, if any, shall stand closed.

Date: 20.07.2018.
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P. KESHAVA RAO, J