

HON'BLE SRI JUSTICE P. KESHA VA RAO

I.A.No. 2 of 2018

IN/AND

CRIMINAL REVISION CASE No.1410 of 2017

ORDER

The present criminal revision case is filed challenging the orders dated 25.5.2017 passed in CrI.A.No. 866 of 2005 by the IV Additional Metropolitan Sessions Judge, Hyderabad confirming the orders passed in C.C.No. 26 of 2014 dt.14.10.2015 on the file of the IV Special Metropolitan Magistrate, City Criminal Courts, at Hyderabad, convicting the petitioner for the offence under Section 138 of the Negotiable Instruments Act.

Heard both sides. Both parties are present and they have been identified by their respective counsel and the xerox copies of I.D. proofs filed are made part of the record.

During the pendency of the criminal revision case, the legal representatives of the deceased-first respondent i.e respondents 3 and 4 and the revision petitioner, have amicably sorted out their dispute at the intervention of the elders and compromised the matter and accordingly, the revision petitioner have paid a sum of Rs.50,000/- the cheque amount to the respondents 3 and 4 being the legal representatives of the deceased-first respondent. Further, a joint memo is also filed by both the parties to the effect that the amounts have already been paid to the respondents 3 and 4. In these circumstances, I.A.No. 2 of 2018 has been filed seeking permission of this Court to record the compromise and allow the CrI.R.C.No.1410 of 2017 by setting aside the order of conviction

passed in CrI.A.No.866 of 2015, dated 25.05.2017, confirming the orders passed in C.C.No.26 of 2014 dated 14.10.2015.

Having regard to the said facts and also upon hearing both the learned counsel and in view of the joint memo filed by both parties, the application is ordered.

In view of the orders passed in I.A.No. 2 of 2018, the criminal revision case is allowed setting aside the judgment the dated 25.5.2017 passed in CrI.A.No. 866 of 2005 by the IV Additional Metropolitan Sessions Judge, Hyderabad confirming the judgment passed in C.C. No. 26 of 2014 dt.14.10.2015 on the file of the IV Special Metropolitan Magistrate, City Criminal Courts, at Hyderabad, convicting the petitioner for the offence under Section 138 of the Negotiable Instruments Act.

It is brought to the notice of this Court that as per the interim orders of this Court dt.5.6.2017, the revision petitioner, deposited a sum of Rs.25,000/- to the credit of C.C.No.26 of 2014 before the Court below. In view of the understanding between the parties, the revision petitioner is at liberty to withdraw the said amount.

Miscellaneous petitions, if any, shall also stand dismissed.

P. KESHAVA RAO, J

Date: 20.07.2018.
CCM

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