

HON'BLE SRI JUSTICE P. KESHA RAO

I.A.NO. 4 OF 2018
IN/ AND
CRIMINAL REVISION CASE No.1687 of 2018

ORDER:

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

The present revision case is filed questioning the judgment passed in CrI.A.No.615 of 2017 dated 25.06.2018 on the file of the Court of the VIII Additional Metropolitan Sessions Judge-cum-Special Judge for Economic Offences Court, at Hyderabad in confirming the judgment dated 28.04.2017 in C.C.No.469 of 2015 on the file of the Court of the XI Special Magistrate, Hyderabad.

I.A.No. 4 of 2018 is filed seeking permission of this Court to compound the offence under Section 138 of the Negotiable Instruments Act against the petitioner and to set aside the conviction recorded in CrI.A.No.615 of 2017 dated 25.06.2018, confirming the judgment in C.C.No.469 of 2015 dated 28.04.2017.

In the affidavit of the de facto complainant filed along with the application, it is mentioned that at the intervention of the well wishers, friends and relatives, the matter has been settled out of Court by entering into memorandum of compromise on 26.07.2018 and in lieu thereof, towards full and final settlement, the revision petitioner has already paid Rs.6 lakhs out of Rs.10 lakhs including the compensation to the de facto complainant. Therefore, they sought the permission of this Court to record the compromise and compound the offence under Section 138 of the Negotiable

Instruments Act and to set aside the conviction and sentence awarded against the petitioner.

Both parties present today and they are identified by their respective counsel. The xerox copies of the adhaar cards produced as I.D. proof are made part of the record.

Learned counsel appearing for the petitioner has produced the receipt dated 31.07.2018 vide No.1006 evidencing payment of 10% of the cheque amount i.e. Rs.5,000/- (Rupees five thousand only) in favour of the High Court Legal Services Committee, Hyderabad. The said receipt is made a part of the record.

Keeping in view the above said facts and also recording the settlement arrived at between the parties, I.A.No.4 of 2018 is allowed. Consequently, criminal revision case is allowed setting aside the judgment passed in CrI.A.No.615 of 2017 dated 25.06.2018 on the file of the Court of the VIII Additional Metropolitan Sessions Judge-cum-Special Judge for Economic Offences Court, at Hyderabad in confirming the judgment dated 28.04.2017 in C.C.No.469 of 2015 on the file of the Court of the XI Special Magistrate, Hyderabad.

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

P. KESHA VA RAO, J

Date: 31.07.2018.
ccm

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