

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.7560 of 2018

ORDER :

This is an application filed under Section 482 Cr.P.C. by the petitioner to modify the order of the learned XIII Additional Metropolitan Sessions Judge, Cyberabad at L.B.Nagar, Ranga Reddy District, dated 19.04.2018, in CrI.M.P.No.178 of 2018, while suspending the sentence of imprisonment with recovery of compensation subject to deposit of 25% within two months from 19.04.2018 and on execution of self bond for Rs.10,000/- with two sureties.

2. The modification now sought is on the quantum of the percentage of compensation amount pending appeal to deposit.

3. It is the contention that the above 1/4th amount of deposit ordered is onerous. Notice ordered to the de facto complainant-1st respondent. The track record shows the item delivered and there is no representation.

4. Heard learned counsel for the petitioner and taken as heard the 1st respondent and also learned Public Prosecutor, representing the State, and perused the order and the expression of the Apex Court in **Dilip S. Dahanukar Vs. Kotak Mahindra Company Limited**¹.

5. The said compensation amount instead of 1/4th deposited, pursuant to the above expression, modified to 1/6th. In other respects

¹ 2007 (6) SCC 528

the order of the lower appellate Court holds good, but for extending time to comply by 27.08.2018.

6. With the above direction, the criminal petition is allowed.

Miscellaneous petitions pending, if any, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

14th August 2018.

Note:

Issue C.C. by 16.08.2018.

(b/o)

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