

HON'BLE SRI JUSTICE P. KESHA RAO

I.A.No.1 of 2018

AND

CRIMINAL REVISION CASE No.498 of 2015

COMMON ORDER:

Heard the learned counsel for the petitioners and the 1st respondent.

The present revision case is filed against the judgment in Crl.A.No.138 of 2014 dated 27.03.2015 on the file of the Sessions Judge, Guntur, confirming the judgment in C.C.No.230 of 2012, convicting the petitioners for the offence under Section 138 of the Negotiable Instruments Act.

During the pendency of the present revision case, an application in I.A.No.1 of 2018 is filed by the 1st respondent to record the compromise and allow the revision case by setting aside the judgment passed in Crl.A.No.138 of 2014 dated 27.03.2015. Along with the application, a memorandum of compromise is filed by both the parties to the effect that during the pendency of the present revision case at the intervention of the elders and well-wishers, the matter has been amicably settled, whereunder the petitioners agreed to pay the cheque amount towards full and final settlement and the 1st respondent agreed to withdraw the same.

Both the parties present and are identified by their respective counsel. They produced the Xerox copies of the Aadhaar cards and the same are made as part of the record.

On questioning, the 1st respondent accepted that he agreed to withdraw the criminal case.

Having heard both the counsel and in the light of the averments made in the affidavit filed in support of the application and the memorandum of compromise filed by both the parties, I.A.No.1 of 2018 is allowed.

Consequently, the criminal revision case is allowed. The conviction and sentence recorded against the accused/petitioners by the IV Additional Junior Civil Judge, Guntur, in C.C.No.230 of 2012 dated 10.04.2014, as confirmed by the Sessions Judge, Guntur, in CrI.A.No.138 of 2014 dated 27.03.2015 are set aside and the accused/petitioners are acquitted of the offence punishable under Section 138 of the Negotiable Instruments Act.

It is needless to observe that in lieu of allowing the parties to compromise the matter and setting aside the conviction against the petitioners, the petitioners are directed to deposit a sum of Rs.50,000/- (Rupees Fifty thousand only) to the Telangana State Legal Services Authority within one week from today. It is also observed that the above said order will come into effect only subject to payment of the above said amount.

Miscellaneous petitions, if any, stand closed.

P. KESHA RAO, J

Date: 04.10.2018.
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