

THE HON'BLE SRI JUSTICE P.KESHA RAO

CRIMINAL REVISION CASE No.2069 OF 2018

ORDER:

This Criminal Revision Case is filed questioning the orders passed in CrI.M.P.No.402 of 2017 in CrI.M.P.No.366 of 2017 in CrI.M.P.No.344 of 2017 in CrI.A.No.1252 of 2017 on the file of Court of V Additional District & Sessions Judge, Ranga Reddy District at L.B.Nagar, dismissing the petition seeking extension of time granted in CrI.M.P.No.344 of 2017 for deposit of 5% of the cheque amount within two weeks from the date of the order.

Heard the learned counsel for the petitioner and first respondent.

The facts, in brief, are that the first respondent herein lodged a complaint in C.C.No.165 of 2016 for the offence under Section 138 of Negotiable Instruments Act against the petitioner herein on the file of Court of III Special Magistrate, Hasthinapuram, R.R.District. The learned Magistrate after full-fledged trial, convicted the petitioner by judgment dated 30.10.2017 whereunder the petitioner has been sentenced to undergo 18 months simple imprisonment and to pay a fine of Rs.20,00,000/- towards compensation. Aggrieved by the said judgment, the petitioner filed CrI.A.No.1252 of 2017 on the file of the V Additional District & Sessions Judge, Ranga Reddy District at L.B.Nagar. Pending the appeal, she filed CrI.M.P.No.344 of 2017 seeking suspension of the judgment passed by the learned Magistrate in C.C.No.165 of 2017, dated 30.10.2017. The learned V Additional District & Sessions Judge by orders dated 29.11.2017 allowed the

said petition suspending the execution of sentence including the payment of compensation, subject to the petitioner depositing 5% of the cheque amount within two weeks from the date of the order. Since the petitioner could not comply with the said conditional order within the stipulated period, she filed CrI.M.P.No.366 of 2017. In fact, on both the occasions, the learned District Judge, was pleased to extend the order till 22.12.2017. As the petitioner could not deposit the said amount, again filed another petition vide CrI.M.P.No.402 of 2017 seeking further extension of time. The said petition was dismissed on 22.12.2017. Aggrieved by the same, the present Criminal Revision Case is filed.

The learned counsel appearing for the petitioner contended that since the petitioner could not deposit the 5% of the cheque amount in compliance with the orders passed by the learned District & Sessions Judge, the petitioner was arrested and produced before the III Special Magistrate, Hasthinapuram at L.B.Nagar on 31.07.2018 and she has been remanded. He further contended that the petitioner is ready to make the payment in compliance with the orders passed by the learned District & Sessions Judge on 29.11.2017.

Per contra, the counsel appearing for the first respondent opposed the said request.

Having heard both the counsel and from a perusal of the material on record, this Court deem it appropriate to extend the time by four days i.e. upto 10.08.2018 to comply with the orders passed by the learned V Additional District & Sessions Judge,

R.R.District at L.B.Nagar for paying the 5% of cheque amount to the first respondent herein.

Accordingly, the Criminal Revision Case is disposed of.

Pending miscellaneous petitions, if any, shall also stand closed.

P.KESHAHA RAO,J

06th AUGUST 2018.

Note: Issue C.C. by 07.08.2018

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