

HON'BLE SRI JUSTICE P. KESHA RAO

I.A.(SR).Nos.77408 & 77538 of 2018

AND

CRIMINAL REVISION CASE No.305 of 2010

COMMON ORDER:

Heard the learned counsel for the petitioners and the de facto complainant/2nd respondent.

The present revision case is filed challenging the judgment passed in CrI.A.No.99 of 2008 dated 16.02.2010 on the file of the I Additional District and Sessions Judge, Krishna at Machilipatnam, convicting the petitioners for the offence under Section 420 IPC.

During the pendency of the present revision case, it is informed by both the counsel that the parties have compromised the matter outside the Court and pursuant thereto, the petitioners paid a sum of Rs.70,000/- to the 2nd respondent towards full and final settlement of the subject matter. In fact, on 11.10.2018, the petitioners handed over two demand drafts for a sum of Rs.30,000/- each drawn on Indian Bank, Avanigadda Branch, to the counsel for the 2nd respondent in the open Court, who, in turn, handed over the same to the 2nd respondent. Today, the balance amount of Rs.10,000/- has been paid and the Xerox copy of the receipt to that effect is also filed. The copies of the demand drafts and the receipt, as stated supra, are made part of the record.

I.A.(SR).No.77538 of 2018 is filed to permit the petitioner/2nd respondent to compound the offences alleged

under Section 420 Cr.P.C., in C.C.No.211 of 2004 and I.A.(SR).No.77408 of 2018 is filed to permit the petitioner/2nd respondent to compound the offences alleged under Section 420 Cr.P.C., by recording the compromise between the parties in C.C.No.211 of 2004. In the affidavit filed in support of the applications, it is mentioned that at the intervention of the elders of both the parties, the matter has been compromised between the petitioners and the 2nd respondent and the 2nd respondent has no objection for acquitting the petitioners for the offence under Section 420 IPC.

Having regard to the said facts and in the light of the averments made in the affidavits filed in support of the applications, I.A.(SR).Nos.77408 and 77538 of 2018 are allowed. Consequent to allowing of the applications, the criminal revision case is allowed setting aside the judgment in CrI.A.No.99 of 2008 dated 16.02.2010 on the file of the I Additional District and Sessions Judge, Krishna at Machilipatnam, modifying the Judgment in C.C.No.211 of 2004 dated 16.07.2008 on the file of the Additional Judicial First Class Magistrate, Avanigadda.

Miscellaneous petitions, if any, shall stand closed.

P. KESHAVA RAO, J

Date: 12.10.2018.

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