

HONOURABLE JUSTICE G. SRI DEVI

I.A.Nos.4 and 5 of 2019

In/and

CRIMINAL REVISION CASE No.212 of 2019

ORDER:

This Criminal Revision case is filed under Sections 397 (1) and 401 Cr.P.C. challenging the judgment, dated 26.11.2018 in Criminal Appeal No.758 of 2016 on the file of the V Addl. Metropolitan Sessions Judge, Ranga Reddy District at L.B. Nagar, Hyderabad, in confirming the judgment, dated 02.09.2016 in C.C.No.126 of 2014 on the file of the Special Magistrate, Ibrahimpatnam, Ranga Reddy District, wherein the petitioner-accused was convicted for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881 and sentenced to undergo Simple Imprisonment for a period of six months and also to pay compensation of Rs.9,00,000/- (Rupees nine lakhs) to P.W.1 within one month from the date of judgment, in default to suffer Simple Imprisonment for 4 months.

2. During pendency of the Criminal Petition, I.A.Nos.4 and 5 of 2019 came to be filed by the 1st respondent to record the compromise and to compound the offence. Along with the petitions, a joint memo came to be filed, *inter alia* stating that at the intervention of elders and well wishers, the parties have settled their disputes in

terms of the compromise. The said joint memo has been supported by the affidavit of the 1st respondent.

3. Today, both parties are present before this Court and they are identified by their respective counsel. This Court, when examined, both parties have stated that at the instance of the elders, they have settled the matter out of the Court and the 1st respondent has no objection to allow the Criminal Revision Case.

4. In the light of the compromise arrived at between the parties, the compromise memo filed by both the parties is recorded and I.A.Nos.4 and 5 of 2019 are ordered.

5. Accordingly, the Criminal Revision Case is allowed setting aside the conviction and sentence recorded against the petitioner-accused by the Special Magistrate, Ibrahimpatnam, Ranga Reddy District, vide judgment, dated 02.09.2016 in C.C. No.126 of 2014 for the offence punishable under Section 138 of the N.I. Act and as confirmed by the V Addl. Metropolitan Sessions Judge, Ranga Reddy District at L.B. Nagar, Hyderabad, vide judgment, dated 26.11.2018 in CrI.A.No.758 of 2016. The petitioner-accused is acquitted of the offence punishable under Section 138 of the N.I. Act. The bail bonds of the petitioner-accused, if any, shall stand cancelled. The petitioner-accused is directed to pay costs of Rs.5,000/-

(Rupees five thousands only) to the Legal Services Committee, Hyderabad, within a period of one week from the date of receipt of a copy of this order. Miscellaneous petitions, if any pending shall stand closed.

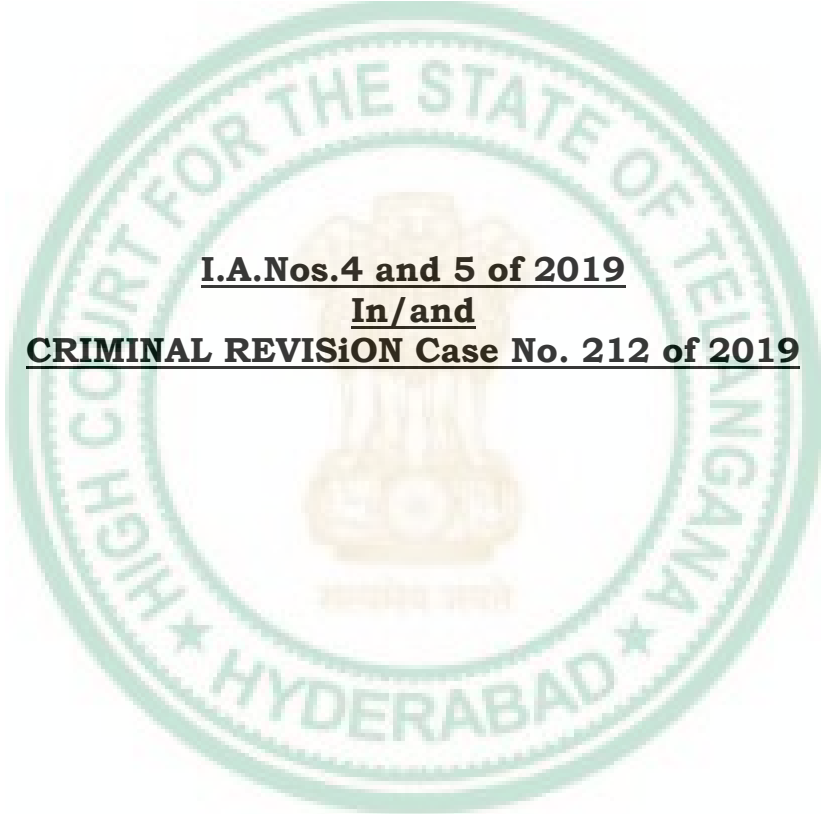
JUSTICE G. SRI DEVI

DATED: 21.09.2019.

Hsd



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