

HON'BLE JUSTICE G.SRI DEVI

CRL.R.C.No.605 of 2019

JUDGMENT:

This Criminal Revision Case is directed against the order passed in Crl.M.P.No.264 of 2019 in Crl.A.No.366 of 2019 dated 26.04.2019 on the file of the IV Additional Metropolitan Sessions Judge, Ranga Reddy District at L.B.Nagar.

The 2nd respondent-complainant filed a complaint for dishonour of cheque dated 19.09.2011 for Rs.16,00,000/- against the revision petitioner/A1 and another and the same was taken on file by the trial Court as C.C.No.320 of 2012. On a perusal of the entire evidence, both oral and documentary, the trial Court found the revision petitioner/A1 guilty of the offence punishable under Section 138 of the N.I. Act and accordingly convicted and sentenced him to undergo simple imprisonment for a period of six months and to pay cheque amount of Rs.16,00,000/- as fine, in default to suffer simple imprisonment for three months. Challenging the same, the revision petitioner/A1 preferred Crl.A.No.366 of 2019. Pending appeal, the revision petitioner/A1 filed Crl.M.P.No.264 of 2019 seeking suspension of sentence imposed by the trial Court. By an order dated 26.04.2019, the appellate Court suspended the sentence of imprisonment subject to the condition of the revision petitioner depositing 20% of the compensation amount on or before 10.05.2019.

Challenging the same, the present revision is filed by the revision petitioner/A1.

Learned Counsel for the revision petitioner submits that the appellate Court ought to have suspended the sentence without imposing the condition of payment of 20% of the cheque amount.

A perusal of the record shows that after obtaining the order of suspension, the revision petitioner/A1 filed another CrI.M.P.No.298 of 2019 seeking extension of time by two weeks to deposit 20% of the cheque amount. By an order dated 10.05.2019, the appellate Court extended the time for payment of 20% of the cheque amount till 24.05.2019. Without paying the said amount, the revision petitioner filed the present revision challenging the suspension order dated 26.04.2019. Hence, I do not find any merit in the revision.

At this stage, the learned Counsel for the revision petitioner seeks some more time for payment of 20% of the cheque amount.

Having regard to the facts and circumstances of the case and in view of the aforesaid submission of the learned Counsel, the Criminal Revision Case is disposed of with a direction to the revision petitioner/A1 to deposit 20% of the cheque amount within a period of three weeks from today.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE G.SRI DEVI

18-06-2019

Gsn

