

HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL REVISION CASE NO.774 OF 2019

ORDER:

The petitioner filed this revision under Sections 397 and 401 of the Code of Criminal Procedure, 1973, seeking to set-aside the order dated 25.06.2019 passed in CrI.MP.No.251 of 2019 in CrI.MP.No.640 of 2018 in CrI.A.No.1081 of 2018 by the III Additional District and Sessions Judge, Cyberabad at L.B. Nagar, Ranga Reddy District.

The order dated 25.06.2019 reads as under:-

“Heard for the petitioner.

Perused the contents of the petition. The petitioner submits that due to financial problem, could not comply the orders of this Court dated 21.12.2018 and sought further time for compliance.

As per Section 148(2) of N.I. Act, 1881, the petitioner may be permitted to deposit 20% of the cheque/fine/completion amount within 60 days and the time may be extended to another one month.

Thus, the petitioner can be permitted to deposit 20% of the amount within 90 days in all.

The petitioner, by order dated 21.12.2018, was directed to deposit 20% of the cheque amount within a period of sixty days.

The record speaks that almost 90 days has been lapsed by the end of March, 2019.

Therefore, the petitioner cannot seek any further time for deposit of the 20% amount.

The petition is devoid of any merits and liable to be dismissed.

Hence, the petition is dismissed.

The lower Court is directed to take appropriate action for not depositing 20% of the cheque amount.”

From the order extracted above, it is seen that as the petitioner could not deposit 20% of the cheque amount and as 90

days have been elapsed by the end of March, 2019, CrI.MP.No.251 of 2018 was dismissed.

Learned counsel for the petitioner submitted that due to financial stringency, the petitioner could not deposit 20% of the cheque amount within the prescribed time and prays to grant time to deposit 20% cheque amount.

Considering the facts and circumstances of the case and the financial condition of the petitioner, the Criminal Revision Case is disposed of setting aside the order dated 25.06.2019 passed in CrI.MP.No.251 of 2019 in CrI.MP.No.640 of 2018 in CrI.A.No.1081 of 2018 by the III Additional District and Sessions Judge, Cyberabad at L.B. Nagar, Ranga Reddy District. The petitioner is granted two weeks' time to deposit 20% of the cheque amount from today.

Miscellaneous applications, if any, pending shall stand closed.

(G. SRI DEVI, J)

18th July 2019
RRB