

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

I.A.No.1 of 2019

IN/AND

CRIMINAL APPEAL NO.456 OF 2014

ORDER:

The appeal is maintained by the accused impugning the trial Court conviction judgment in CrI.A.No.625 of 2012, dated 15.03.2014 of the learned VII Additional Metropolitan Sessions Judge, Hyderabad, which is a reversal judgment against the acquittal judgment in CC.80 of 2011, dated 31.05.2012, of the learned IX Special Metropolitan Magistrate, Hyderabad, outcome of the private complaint of the 1st respondent/ complainant for the lower appellate court in convicting and sentencing him to undergo simple imprisonment for one year and to pay compensation of Rs.4,00,000/- within two months from the judgment dated 15.03.2014 by impugning the same.

2. It is in the course of the appeal coming for hearing the 1st accused entity represented by the 2nd accused also being the drawer of the cheque and the complainant/1st respondent since present stated outside the court they amicably settled the money transaction covered by the cheque and paid the entire amounts, thereby the offence covered by the criminal appeal invoking section 147 of the NI Act be compounded.

3. Heard and perused the material. However, they have to be imposed with costs for permitting the compounding as per the expression of the Apex Court thereby by considering the fact that it is stated that they settled the amount due under the cheque nearly for Rs.6 lakhs imposed of Rs.50,000/- payable to the Army Welfare Fund.

4. The Criminal Appeal is allowed since proof of payment filed by setting aside the conviction judgment of the lower appellate Court by compounding the offence under Section 147 of Negotiable Instruments Act r/w.320 Cr.P.C. Bail bonds of the accused if any, shall stand cancelled.

Dr. B. SIVA SANKARA RAO, J

Dt.19.03.2019

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Criminal Appeal No.456 of 2014



19th March, 2019

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