

HONOURABLE JUSTICE G. SRI DEVI

I.A.NOs.3 AND 4 OF 2019

IN/AND

CRIMINAL REVISION CASE NO.876 OF 2019

COMMON ORDER:

The petitioner-accused filed this Criminal Revision Case under Sections 397 and 401 of the Code of Criminal Procedure to set aside the judgment dated 17.04.2018 in C.C.No.52 of 2018 on the file of the XXIII Special Magistrate, Hyderabad, for the offence under Section 138 of the Negotiable Instruments Act, 1881, which was confirmed by the judgment dated 02.08.2019 in CrI.A.No.449 of 2018 on the file of the I Additional Metropolitan Sessions Judge, Hyderabad.

During pendency of the Criminal Revision, I.A.Nos.3 and 4 of 2019 came to be filed by the second respondent to record the compromise. Along with the petition, a joint memo came to be filed duly signed by both the parties, *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 second respondent.

Today, both the parties are present before this Court and they were identified by their respective counsel. This Court, when examined, both the parties have stated that at the instance of the elders, they have settled the matter out of the Court and the second respondent has no objection for setting aside the conviction and sentence imposed against the petitioner/accused.

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.3 and 4 of 2019 are ordered.

Accordingly, the Criminal Revision Case is allowed in terms of compromise, setting aside the judgments dated 17.04.2018 and 02.08.2019 passed in C.C.No.52 of 2018 on the file of the XXIII Special Magistrate, Hyderabad and in CrI.A.No.449 of 2018 on the file of the I Additional Metropolitan Sessions Judge, Hyderabad, respectively and the petitioner/accused is acquitted for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881. However, the petitioner is directed to deposit an amount of Rs.5,000/- (Rupees five thousand only) before the High Court Legal Services Committee, Hyderabad within two weeks from today.

Miscellaneous applications, if any, pending, shall stand closed.

(G. SRI DEVI, J)

27th September 2019
RRB