

THE HONOURABLE JUSTICE G. SRI DEVI

I.A.Nos.4 and 5 of 2019

and

Crl.R.C.No.943 of 2019

COMMON ORDER

The criminal revision case is filed under Section 397 read with Section 401 Cr.P.C., against the judgment dated 22.06.2019 passed in Crl.A.No.577 of 2014 by the learned IV Additional Metropolitan Sessions Judge, Hyderabad, confirming the judgment dated 03.06.2014 passed in C.C.No.233 of 2013 by the learned XIV Special Magistrate, Hyderabad.

2. The petitioner/accused was convicted for the offence punishable 138 of Negotiable Instruments Act, 1881 and sentenced to suffer rigorous imprisonment for a period of one year and to pay a sum of Rs.4,50,000/- towards compensation within a period of two months, in default to suffer simple imprisonment for six months vide judgment dated 03.06.2014 in C.C.No.233 of 2013, and the same was confirmed by the appellate Court vide judgment dated 22.06.2019 in Crl.A.No.577 of 2014.

3. During pendency of revision, I.A.Nos.4 and 5 of 2019 are filed by both parties seeking leave of this Court to compound the offence and to record compromise as the matter was settled out of the Court and stated that the petitioner/accused has deposited an amount of Rs.1,50,000/- on 25.11.2019 as per the order of this Court in I.A.No.2 of 2019 in Crl.R.C.No.943 of 2019 and he also paid an amount of Rs.3,75,000/- to the respondent/complainant, who in turn acknowledged receipt of the same stating that he received the amount towards full and final settlement of all claims and prayed to set aside the conviction and sentence imposed by the Courts below.

4. Today, when the matter came up for hearing, the first respondent/complainant and the petitioner/accused are present and they

are identified by their respective counsel. They filed their aadhar cards along with their photographs before the Court. When this Court enquired the parties, the complainant and the accused stated that they entered into compromise due to intervention of the elders.

5. In view of the compromise arrived at between the parties, it would be appropriate to grant leave to the parties to compound the offence and to set aside the conviction and sentence imposed by the Courts below against the petitioner/accused.

6. In the result, I.A.Nos.4 and 5 of 2019 are ordered. Consequently, the Criminal Revision Case is allowed and the conviction and sentence imposed by the trial Court vide judgment dated 03.06.2014 passed in C.C.No.233 of 2013 by the learned XIV Special Magistrate, Hyderabad, as confirmed by the appellate Court vide judgment dated 22.06.2019 passed in CrI.A.No.577 of 2014 by the learned IV Additional Metropolitan Sessions Judge, Hyderabad, are hereby set aside. However, the petitioner/accused is directed to deposit a sum of Rs.5,000/- (Rupees five thousand only) before the High Court Legal Services Committee, Hyderabad, within ten days from today.

7. Miscellaneous petitions, if any pending in the criminal revision case, shall stand closed.

G. SRI DEVI, J

19th December, 2019

sj