

HON'BLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.8347 of 2019

ORDER :

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to modify the order, dated 06.11.2019 passed in CrI.M.P.No.1622 of 2019 in CrI.A.No.958 of 2019 by the IV Addl. Metropolitan Sessions Judge, Hyderabad.

2. Heard the learned counsel for the petitioner-accused and perused the material on record.

3. As seen from the impugned order, it is clear that the learned Sessions Judge, Hyderabad, suspended the sentence of imprisonment and payment of compensation amount and released the petitioner-accused on bail subject to condition the petitioner-accused depositing 20% out of the compensation amount within 60 days.

4. Learned counsel for the petitioner-accused submits that the petitioner may be directed to deposit 10% of the cheque amount in stead of 20% within a period of 8 weeks.

5. The learned II Special Magistrate, Hyderabad, vide judgment, dated 03.10.2019 in C.C.No.29 of 2018 convicted the accused for the offence punishable under Section 138 of the N.I. Act and accordingly, sentenced him to undergo S.I. for 6 months and to pay compensation of Rs.2,80,000/-, in default to undergo S.I. for 3 months. Out

of the said amount, an amount of Rs.2,75000/- shall be paid to the complainant and an amount of Rs.5,000/- shall be confiscated to the State. Aggrieved by the same, the petitioner preferred CrI.A.No.958 of 219 before the IV Addl. Metropolitan Sessions Judge, Hyderabad. Along with the appeal, the petitioner filed CrI.M.P.No.1622 of 2019 to suspend the sentence of imprisonment and also payment of compensation. The learned Sessions Judge passed the impugned order as stated supra.

6. Having regard to the facts and circumstances of the case and the submission made by the learned counsel for the petitioner-accused, I deem it appropriate to reduce the depositing of compensation amount from 20% to 15%.

7. Accordingly, the Criminal Petition is disposed of directing the petitioner-accused to deposit 15% out of the compensation amount within the time stipulated by the appellate Court. Miscellaneous petitions, if any pending shall stand closed.

JUSTICE G.SRI DEVI

DATED: 20.12.2019.

Hsd

