

THE HONOURABLE Dr.JUSTICE B.SIVA SANKARA RAO

I.A.No.3 of 2018
in/and
Criminal Petition No.10469 of 2018

ORDER :

The petitioner is accused in C.C.No.565 of 2017 on the file of the Judl.Magistrate of First Class, at Bellampally, on report of 1st respondent-defacto-complainant-Patti Ravi Kumar (stated died and Patti Dhiraj Kumar has come on record as R.3 as 2nd complainant as per I.A.No.2 of 2019) for offence punishable u/sec.138 of the Negotiable Instruments Act.

Both the petitioner and the R.3 along with their counsel present before the court and stated that they have settled the dispute between them amicably outside the Court by payment of amount towards adjustment for the present case covered by cheque dt.19.04.2017 of Rs.9,65,000/- for nothing more due and the accused may be permitted to compound the offence on compensation payable to the State as per expression of the Apex Court in Damodar S.Prabhu Vs. Sayeed Babalal **Damodar**¹ and in view of their submission of it is settled for payment of amount lesser than that, subject to payment of 7% i.e. Rs.60,000/- of the cheque amount as compensation, they are permitted to compound the offence.

Said compliance is made and the offence is compounded.

In the result, the I.A.No.3 of 2018 is allowed. Consequently, the Criminal Petition is also allowed by quashing the proceedings against the petitioner/accused in C.C.No.565 of 2017 on the file of the Judl.Magistrate of First Class, at Bellampally. The petitioner/accused is acquitted and his bail bonds shall stand cancelled. Pending miscellaneous petitions, if any, shall stand closed.

Date:28.01.2019
vvr

Dr. B.SIVA SANKARA RAO J,

¹ (2010) 5 SCC 663