

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.12.2020

CORAM :

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

CrI. R.C.No.484 of 2017
and
CrI.M.P.Nos.4332 and 4333 of 2017

A.L. Umashankar ...Petitioner
Promoth Kumar Kulgarni ...Respondent

Prayer: The Criminal Revision petition is filed under Section 397 and 401 of Cr.P.C to set aside the Judgment passed in C.A.No.8 of 2015 by the Principal Sessions Court of Kancheepuram District at Chengalpattu dated 13.03.2017 confirming the Judgment passed in C.C. No. 144 of 2012 by the Judicial Magistrate (Fast Track) Court, Alandur dated 05.02.2015.

For Petitioner : Mr.S.B.Viswanathan
For Respondent : Mr. V. Senthil Murugan

ORDER

This matter has been posted for appearance of parties namely Mr.A.L.Umashankar the petitioner and Promoth Kumar Kulgarni the respondent in this criminal revision petition. Both the parties appeared through video conferencing with their respective counsel.

2. The affidavit of Promoth Kumar Kulgarni has been filed and placed before me. It is seen from the affidavit filed that he is willing to compound this case with the petitioner for the reason that the petitioner had already paid him a sum of Rs.10,00,000/-(ten lakhs only) and he undertook to pay the balance of Rs.18,00,000/-(Eighteen lakhs) in due course and settle the whole outstanding at the earliest and prayed for passing appropriate orders.

3. Both Promoth Kumar Kulgarni and Uma Shankar had been questioned and examined with regard to the terms of the settlement stated in the affidavit filed by Promoth Kumar Kulgarni and they agreed to the terms of the settlement.

4. The learned counsel appearing for both sides have also

confirmed the settlement reached between the parties. Under the circumstances this Court is of the considered view that the parties may be permitted to compound the case. As a result, this petition is dismissed and the petitioner is exonerated from the charge Under Section 138 of Negotiable Instruments Act. The Judgments of the Courts below is set aside and the petitioner is acquitted. Petitioner has to pay the balance amount of Rs.18,00,000/- as agreed. Ordered accordingly. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

smn

To

1. The Principal Sessions Court of
Kancheepuram District at Chengalpattu.
 2. The Judicial Magistrate (Fast Track) Court, Alandur.
- +1cc to Mr.S.B.Viswanathan, Advocate, S.R.No. 41928

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CM(CO)
GN(07/01/2021)

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