

**THE HONOURABLE JUSTICE G. SRI DEVI**

**I.A.No.3 of 2020**

**In/and**

**CRIMINAL REVISION CASE No.98 of 2020**

**ORDER:**

The revision petitioner, who is the accused in C.C.No.121 of 2016 on the file of Judicial Magistrate of First Class, Special Mobile Court, Nalgonda, filed this Criminal Revision Case under Sections 397 and 401 Cr.P.C., challenging the conviction and sentence passed in the above C.C., for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881, which was confirmed by the learned IV Additional Sessions Judge (II FTC) at Nalgonda, by its Judgment, dated 24.01.2020, in New CrI.A.No.102 of 2019.

2. During pendency of the Criminal Revision Case, the 1<sup>st</sup> respondent-*de facto* complainant filed I.A.No.3 of 2020 along with a Joint Memo, duly signed by both the parties and their counsel, seeking to record the terms of compromise entered vide Memorandum of Compromise, dated 25.01.2020. The parties also filed their photographs and Photostat copies of their Aadhar Cards in proof of their identity. It is stated in the affidavit that at the intervention of elders and well wishers, the parties have settled their disputes and the revision petitioner paid an amount of Rs.70,000/- to the 1<sup>st</sup> respondent-*de facto* complainant as full and final settlement.

3. Today, both the parties are present before this Court and they are 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 1<sup>st</sup> respondent acknowledged to have received Rs.70,000/- long back and he has no objection for setting aside the conviction and sentence imposed against the revision petitioner/accused.

1) In the light of the compromise arrived at between the parties, the compromise memo filed by both the parties is recorded and I.A.No.3 of 2020 is ordered. The Memorandum of Understanding, dated 25.01.2020, shall form part of the record.

2) Consequently, the Criminal Revision Case is allowed in terms of compromise, setting aside the judgments dated 13.10.2017 and 24.01.2020 passed in C.C.No.121 of 2016 on the file of the Judicial Magistrate of First Class, Special Mobile Court, Nalgonda, and in New CrI.A.No.102 of 2019 on the file of IV Additional Sessions Judge (II FTC) at Nalgonda, respectively and the revision petitioner/ accused is acquitted for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881. However, the revision petitioner is directed to deposit an amount of Rs.3,000/- (Rupees three thousand only) before the High Court Legal Services Committee, Hyderabad, within a period of one week from the date of receipt of a copy of this order.

**7<sup>th</sup> February, 2020**

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**Date:07.02.2020**

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