

HONOURABLE JUSTICE G. SRI DEVI

I.A.Nos.1 and 2 of 2019

In/and

CRIMINAL REVISION CASE No.1310 of 2019

ORDER:

This Criminal Revision case is filed under Sections 397 (1) and 401 Cr.P.C. challenging the judgment, dated 31.07.2019 in Criminal Appeal No.1007 of 2014 on the file of the XIII Addl. District and Sessions Judge, Ranga Reddy District at L.B. Nagar, in confirming the judgment, dated 28.11.2014 in C.C.No.138 of 2014 on the file of the Special Judl. Magistrate Court-II at Rajendranagar, R.R. District, wherein the petitioner-accused was convicted for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881 and sentenced to undergo Rigorous Imprisonment for a period of one year and also to pay compensation of Rs.5,00,000/- to the complainant in two instalments within two months, in default to suffer simple imprisonment for six months.

2. During pendency of the Criminal Revision case, I.A.Nos.1 and 2 of 2019 came to be filed by the 2nd respondent to record the compromise and to compound the offence. Along with the petitions, a joint memo came to be filed, *inter alia* stating that at the intervention of elders and well wishers, the parties have settled their disputes in terms of the compromise. The said joint memo has been

supported by the affidavit of the 2nd respondent. Further, the parties also filed a receipt before this Court. According to the receipt, the 2nd respondent had received an amount of Rs.4.25 lakhs towards full and final settlement as per the mutual oral agreement. The 2nd respondent also admitted to have received the total amount towards full and final settlement of mutual agreement, which was made earlier.

3. Today, both parties are present before this Court and they are identified by their respective counsel. The parties have produced Aadhar Cards and photographs, which show their identity. This Court, when examined, both parties have stated that at the instance of the elders, they have settled the matter out of the Court amicably and the 2nd respondent has no objection to allow the Criminal Revision Case.

4. In the light of the compromise arrived at between the parties, the compromise memo filed by both the parties is recorded and I.A.Nos.1 and 2 of 2019 are ordered.

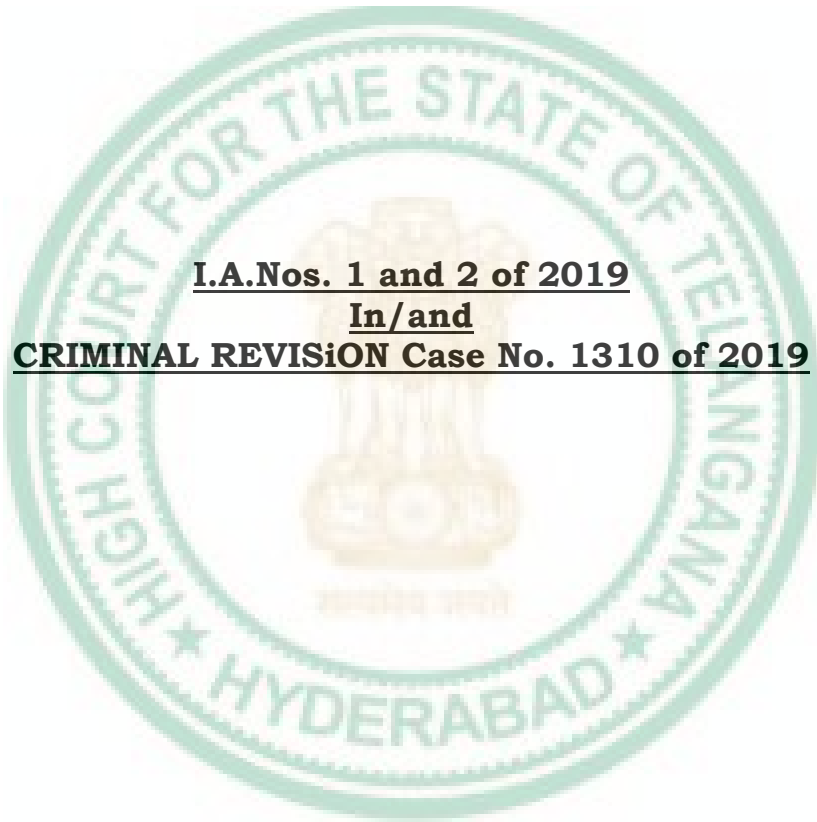
5. Accordingly, the Criminal Revision Case is allowed setting aside the conviction and sentence recorded against the petitioner-accused by the Special Judl. Magistrate Court-II at Rajendranagar, R.R. District, vide judgment, dated 28.11.2014 in C.C. No.138 of 2014 for the offence

punishable under Section 138 of the N.I. Act and as confirmed by the XIII Addl. District and Sessions Judge, Ranga Reddy District at L.B. Nagar, vide judgment, dated 31.07.2019 in CrI.A.No.1007 of 2014. The petitioner-accused is acquitted of the offence punishable under Section 138 of the N.I. Act. The bail bonds of the petitioner-accused, if any, shall stand cancelled. Both parties are directed to deposit a sum of Rs.10,000/- before the High Court Legal Services Committee, Hyderabad, and also a sum of Rs.10,000/- before the High Court Advocates Association, Hyderabad, within a period of one week from today. Miscellaneous petitions, if any pending shall stand closed.

DATED: 24.01.2020.
Hsd

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CRIMINAL REVISION Case No. 1310 of 2019

Dated: 24.01.2020

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