

HONOURABLE JUSTICE G. SRI DEVI

I.A.No.4 of 2019
In/and
CRIMINAL REVISION CASE No.1399 of 2019

ORDER:

1) The revision petitioner, who is the accused in C.C.No.291 of 2015 on the file of the XVI Special Magistrate, Hyderabad, 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 Additional Metropolitan Sessions Judge for Trial of Communal Offence Cases-cum-VII Additional Metropolitan Sessions Judge, Hyderabad, by its judgment, dated 14.09.2017, but the learned Sessions Judge enhanced the fine amount from Rs.4.00 lakhs to Rs.4,50,000/-.

2) During pendency of the Criminal Revision, I.A.No.4 of 2019 came to be filed by the second respondent to record the compromise. Along with the petition, a joint memo which is signed by the parties and their counsel, photographs of the parties and Photostat copies of their Aadhar Cards came to be filed. It is stated in the affidavit that at the intervention of elders and well wishers, the parties have settled their disputes long back and the revision petitioner paid the enhanced fine amount of Rs.4,50,000/- to the second respondent.

3) Today, both the parties are present before this Court and they were 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 second respondent acknowledged to have received Rs.4,50,000/- long back and he has no objection for setting aside the conviction and sentence imposed against the revision petitioner/ accused.

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.No.4 of 2019 is ordered.

5) Accordingly, the Criminal Revision Case is allowed in terms of compromise, setting aside the judgments dated 26.08.2016 and 14.09.2017 passed in C.C.No.291 of 2015 on the file of the XVI Special Magistrate, Hyderabad and in CrI.A.No.820 of 2016 on the file of the Additional Metropolitan Sessions Judge for Trial of Communal Offence Cases-cum-VII Additional Metropolitan Sessions Judge, Hyderabad, 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.5,000/- before the High Court Legal Services Committee, Hyderabad and the second respondent is directed to deposit an amount of Rs.5,000/- before the Telangana High Court Bar Association, within a period of one week from today.

6) Miscellaneous petitions, if any, pending, shall stand closed.

JUSTICE G. SRI DEVI

30.01.2020
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