

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**MONDAY, THE TWELFTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL REVISION CASE NO: 834 OF 2022

Criminal Revision Case filed Under Sections 397 and 401 of Cr.P.C aggrieved by the Judgment dated. 30.11.2022 passed in CrI.A.No.54 of 2019 on the file of the Court of the I Additional District and Sessions Judge, Nalgonda, confirming the conviction judgment dated.06.06.2019 passed in C.C.No.1944 of 2017 on the file of the Court of the Additional Judicial First Class Magistrate, at Devarakonda.

Between:

Pasunoori Surender Reddy, S/o. Mohan Reddy, Age 45 years, Occ. Agriculture, R/o. Kondamallepally village, Devarakonda Mandal

...Petitioner(Accused /Appellant)

AND

The State of Telangana, represented by Public Prosecutor, High Court, Hyderabad, through SHO, Devarakonda Police Station

...Respondent(Complainant/Respondent)

IA NO: 1 OF 2022

Petition under Section 397 (1) of Cr.P.C praying that in the circumstances stated in the grounds filed in support of the Criminal Revision Case, the High Court may be pleased to enlarge the petitioner herein on bail by suspending the conviction and sentence imposed in CrI.A.No. 54 of 2019 on the file of the I Additional District and Sessions Judge, Nalgonda in confirming the conviction and sentence imposed in C.C.No.1944 of 2017 dt.06.06.2019 on the file of Additional Judicial First class Magistrate at Devarakonda, for the offence U/Sec.323 I.P.C. and

sentenced to undergo rigorous imprisonment for a period of four (4) months and to pay a fine of Rs.100/-, In default to undergo simple imprisonment for a period of one week, pending disposal of the Criminal Revision Case, in the interest of justice.

Counsel for the Petitioner: SRI PRAVEEN KUMAR VEERJALA

Counsel for the Respondent: THE ADDITIONAL PUBLIC PROSECUTOR

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL REVISION CASE No.834 OF 2022****ORDER:**

This Criminal Revision is filed by the petitioner questioning the correctness of the Judgment dated 30.11.2022 passed in Crl.Appeal No.54 of 2019 by the learned I Additional District and Sessions Judge at Nalgonda, confirming the conviction judgment of the learned Additional Judicial First Class Magistrate at Deverakonda passed in C.C.No.1944 of 2017 (old Case No.251 of 2013 on the file of Judicial First Class Magistrate, Devarakonda) dated 06.06.2019.

2. Briefly the case of the prosecution is that on 26.09.2012 the *de facto* complainant lodged a complaint stating that on the very same day the petitioner picked up a quarrel with him regarding laying of a foundation stone and beat him with his chappal on the back side and on the head of the complainant, for which reason, he sustained injuries.

3. The learned Magistrate after examining the witnesses PWs 1 to 9 and marking Exs.P1 to P6 found that this petitioner was guilty for the offence under Section 323 of IPC and he was sentenced to Rigorous Imprisonment for a period of four (04) months and to pay

a fine of Rs.100/- and the petitioner was acquitted for the offence under Section 504 of IPC.

4. Aggrieved by the said conviction, the petitioner-Accused preferred an appeal vide CrI.Appcal No.54 of 2019 and the learned Sessions Judge concurrent with the findings of the learned Magistrate and confirmed the conviction.

5. Heard the learned counsel for the petitioner and learned Additional Public Prosecutor for the respondent – State. Perused the record.

6. As seen from the evidence and the findings of both the Courts below, the findings cannot be found fault with, however, since the incident is of the year 2012 and the altercation was outcome of a civil dispute which was pending in between the petitioner-accused and the *de facto* complainant, this Court deems it appropriate to *set aside* the imprisonment imposed upon the petitioner-Accused and award a compensation of Rs.20,000/-.

7. Accordingly, the Criminal Revision Case is disposed off. The petitioner-Accused is directed to pay a fine of Rs.20,000/- as compensation to PW1 - Victim within a period of four (04) weeks

from the date of receipt of a copy of this Order. Failure to pay the compensation by depositing the same before the concerned Court within the time stated, the petitioner – Accused shall undergo imprisonment for a period of two (02) months.

Miscellaneous Petitions, pending if any, shall stand closed.

Sd/-M.MANJULA
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The I Additional District and Sessions Judge, Nalgonda.
2. The Additional Judicial First Class Magistrate, at Devarakonda.
3. The Station House Officer, Devarakonda Police Station, Nalgonda District.
4. Two CCs to the Additional Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
5. One CC to SRI. PRAVEEN KUMAR VEERJALA, Advocate [OPUC]
6. Two CD Copies

MMK

Qa

HIGH COURT

DATED:12/12/2022

ORDER

CRLRC.No.834 of 2022



DISPOSING OF THE CRIMINAL REVISION CASE

[Handwritten signature]
05/01/2023