APHC010022532025

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3327]
(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIRST DAY OF JANUARY
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY

I.A.NO.2 OF 2025
IN/AND
CRIMINAL REVISION CASE NO: 61/2025

Between:

Vuyyuru Sridhar **...PETITIONER**

A N D

Mannem Subba Rao and Others **...RESPONDENT(S)**

Counsel for the Petitioner:

1. T JANARDHAN RAO

Counsel for the Respondent(S):

1. BALAJI BOLLA
2. PUBLIC PROSECUTOR

The Court made the following:

C O M M O N O R D E R

This Criminal Revision Case has been filed against the Judgment, dated 25.09.2023, passed in Criminal Appeal No.334 of 2016 by the learned VII Additional District and Sessions Judge, SPSR Nellore District at Gudur, confirming the Judgment, dated 19.09.2016, passed in Calendar Case No.89 of 2014 by the learned Special Judicial Magistrate of First Class, Venkatagiri.

2. A complaint *vide* C.C.No.89 of 2014 was filed by the respondent No.1/complainant against the petitioner herein/ accused for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881 (for brevity 'the NI Act'). After full-fledged trial, *vide* Judgment, dated 19.09.2016, learned Special Judicial Magistrate of First Class, Venkatagiri convicted the petitioner/accused of the offence punishable under Section 138 of NI Act, in terms of Section 255 (2) of the Code of Criminal Procedure, 1973 (for brevity 'CrPC') and sentenced to undergo rigorous imprisonment for a period of six (06) months and to pay compensation of Rs.3,80,000/- (Rupees three lakhs and eighty thousand only) being the cheque amount, under Section 357 CrPC, in default, shall undergo simple imprisonment for a period of three (03) months for the offence punishable under Section 138 of the NI Act.

3. Aggrieved by the said Judgment, petitioner/accused preferred the appeal before the VII Additional District and Sessions Judge, SPSR Nellore District at Gudur. On reappreciation of entire evidence brought on record, the Appellate Judge, *vide* Judgment, dated 25.09.2023, confirmed the conviction and sentence imposed by the trial Court. Challenging the same, the petitioner/accused preferred the present Criminal Revision Case.

4. Today, when the matter is taken up, petitioner herein/accused and respondent No.1/complainant are present before this Court. They produced their respective Aadhar cards in proof of their identity. Learned counsel for the petitioner herein/accused and the learned counsel for 1st respondent herein/ complainant identified both parties in the open Court. This Court questioned 1st respondent herein/complainant with regard to compromise and he categorically stated to that extent that he voluntarily entered into compromise with the petitioner herein/ accused and there is no threat, coercion or undue influence in arriving at the compromise. I.A.No.2 of 2025 is filed seeking to record the compromise arrived at, between the parties. This Court is satisfied with the identification of the parties and voluntariness in arriving at the compromise.

5. In view of the parties have entered into a compromise and compounded the offence, Judgment, dated 25.09.2023 passed in Criminal Appeal No.334 of 2016 by learned VII Additional District and Sessions Judge, SPSR Nellore District at Gudur, confirming the Judgment, dated 19.09.2016, passed in Calendar Case No.89 of 2014 by the learned Special Judicial Magistrate of First Class, Venkatagiri, is set-aside. Consequently, the petitioner herein/accused is acquitted of the offence punishable under Section 138 of the Negotiable Instruments Act, 1881 in terms of Section 320 (8) CrPC.

6. Accordingly, I.A.No.2 of 2025 and Criminal Revision Case No.61 of 2025 are allowed.

As a sequel thereto, the miscellaneous petitions, if any, pending in this Criminal Revision Case shall stand closed.

JUSTICE K. SREENIVASA REDDY

21st January, 2025.

DNB