



CrI.M.P.No.2811 of 2025
in CrI.R.C.Sr.No.8249 of 2025

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M.NIRMAL KUMAR, J.

The petitioner/accused in S.T.C.No.109 of 2017 was convicted by the trial Court by judgment dated 16.06.2018 on the complaint filed by the respondent for an offence under Section 138 of the Negotiable Instruments Act. The trial Court convicted the petitioner and sentenced him to undergo one year simple imprisonment and to pay Rs.60,000/- twice the cheque amount as compensation. Aggrieved by the judgment, the petitioner has preferred an appeal before the Sessions Court in C.A.No.35 of 2018. The appeal got dismissed confirming the conviction and sentence passed by the trial Court vide judgment dated 18.01.2023.

2.In the meanwhile, there has been a compromise entered between the petitioner and the 2nd respondent and the issue has been resolved. The petitioner paid a sum of Rs.78,000/- as full and final settlement and same has been received by the 2nd respondent. He had also issued a receipt dated 02.01.2024. Further, there was also a civil suit pending between them in O.S.No.4 of 2019 and in view of the compromise entered, the civil suit got dismissed after recording the satisfaction memo dated 30.01.2025.

3.The petitioner was under the impression that the criminal prosecution had also been terminated. Consequently, he did not pursue the case further. However,, he was later remanded. Hence the petition has been filed to condone the delay.



M.NIRMAL KUMAR, J.

rpl

4.Mr.Sangani Tatarao is appeared in person and submits that he got no objection in condoning the delay.

5.In view of the same, the Registry is directed to number the petition and list the matter in the afternoon session, since the petitioner is in prison.

19.02.2025

rpl

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