



CrI.R.C.No.663 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 08.07.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

CrI.R.C.No.663 of 2024

Shantilal Betala

... Petitioner

Vs.

M/s. Paceman Finance India (P) Ltd.,
Rep. by its Director, Rahul Kumar,
No.936, Poonamallee High Road,
Crescent Court, Suit No.21,
Purasawalkam,
Chennai – 600 084.

... Respondents

PRAYER: Criminal Revision has been filed under Section 397 r/w 401 of Cr.P.C., praying to set aside the judgment dated 22.02.2024 made in C.A.No.380 of 2022 on the file of the V Additional Sessions Judge, Chennai, confirming the conviction and sentence and modifying the compensation, passed by the Metropolitan Magistrate, Fast Track Court I, Egmore @ Allikulam, Chennai, in C.C.No.8558 of 2018 dated 01.12.2022.

For Petitioner : Mr.Akshai Sajin Kumar V.L.

For Respondent : Mr.Pawan Kumar Dhanuka



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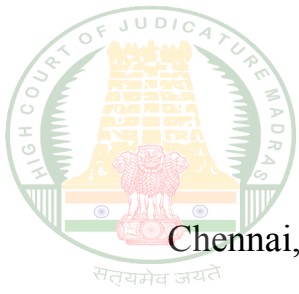
ORDER

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This criminal revision has been preferred against the judgment dated 22.02.2024 passed by the learned V Additional Sessions Judge, Chennai, in C.A.No.380 of 2022, confirming the conviction and the sentence imposed on the petitioner dated 01.12.2022 passed by the learned Metropolitan Magistrate, Fast Track Court I, Egmore @ Allikulam, Chennai, in C.C.No.8558 of 2018, thereby convicted the petitioner for the offence punishable under Section 138 of the Negotiable Instruments Act (hereinafter referred to as “the NI Act”)

2. While pending this revision, the matter has been amicably settled between the parties by paying the entire cheque amount. They also entered into joint compromise and produced a Joint Compromise Memo dated 11.09.2024 before this Court. The respondent also present before this Court and deposed that he received the entire cheque amount and he has no objection to set aside the conviction.

3. In view of the above, the conviction and sentenced imposed by the trial court, which were confirmed by the appellate court, cannot be sustained. As such, the impugned judgments are liable to be set aside. Accordingly, the judgment dated 22.02.2024 passed by the learned V Additional Sessions Judge,



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Chennai, in C.A.No.380 of 2022, and the order dated 01.12.2022 passed by the learned Metropolitan Magistrate, Fast Track Court I, Egmore @ Allikulam, Chennai, in C.C.No.8558 of 2018, are set aside. The terms of the Joint Compromise Memo dated 11.09.2024 shall form part and parcel of the order. The petitioner is acquitted from all the charges under Section 138 of the NI Act and set liberty forthwith. The bail bond, if any executed by the petitioner, shall stand cancelled. Fine amount, if any paid, shall be refunded to the petitioner forthwith.

4. In the result, this Criminal Revision Case stands allowed. Consequently, connected miscellaneous petition is closed.

08.07.2025

Internet: Yes
Index: Yes/No
Speaking/Non speaking order

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G.K.ILANTHIRAIYAN. J,

rts

To

1. The V Additional Sessions Judge,
Chennai

2. Metropolitan Magistrate,
Fast Track Court I,
Egmore @ Allikulam,
Chennai.

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