

Sri. M.B.K. filed vakalath for respondent and submits no objection to allow the I.A.No.1 and also he has filed application under Section 147 of N.I.Act. In view of no objection submitted by respondent, the I.A.No.1 under Section 5 of Limitation Act, filed by the appellant is allowed and delay condoned to file appeal.

ORDER ON COMPROMISE PETITION FILED UNDER SECTION 147 OF THE NEGOTIABLE INSTRUMENTS ACT

The appellant and respondent are present and their respective counsels are present.

2. Today both the parties have filed compromise petition U/Sec.147 of N.I. Act, wherein it is stated that, after filing of this appeal, the complainant and accused have settled the matter and paid the said amount out of the Court by way of cash to the respondent. Hence, prayed to dismiss the complaint by allowing the Appeal.

3. Perused the impugned judgment of the trial court dated

Approved

SP
Allowed to
APPEAL
12AD 4755/21

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Respondent
Identified by me
M.B.K
Admitted for Respondent
12AD 2501/12

SP

Adp
11/8/2026

06.12.2024 in C.C.No.27/2022.

The accused has been convicted and sentenced to pay a fine of Rs.5,10,000/- in default of which, he is directed to undergo S.I. for a period of two years for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881 and further it is ordered that out of the fine amount, Rs.5,00,000/- shall be given to the complainant as compensation. A sum of Rs.10,000/- be defrayed to the prosecution expenses to the State.

4. On perusal of compromise petition, it appears that it is the lawful, reasonable and acceptable in the interest of the parties and also the respondent has acknowledged the same. This court has satisfied as to the voluntariness of parties to compromise and hence compromise petition is allowed.

5. Hence, in view of the compromise between the Appellant and Respondent, the order of


11/12/2024

conviction and sentence passed by the Trial Court in C.C.No.27/2022 dated 06.12.2024 is hereby set aside. The Appellant/accused is acquitted for the alleged offence punishable under Section 138 of Negotiable Instruments Act.

6. Office is hereby directed to send the TCR and copy of this Order to the trial court for the further action in the matter.



II Additional District and Sessions
Judge Chikkaballapura, Sitting at
Chintamani