



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3560]

MONDAY, THE FOURTH DAY OF MAY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE SUBHENDU SAMANTA

I.A.No.1 of 2026 and I.A.No.2 of 2026

In/And

CRIMINAL REVISION CASE NO: 87/2014

Between:

1. GOPALAM VIJAYA SARADHI, S/O. PURNACHANDRA RAO, AGED 30 YEARS, O/O. VARIN TECHNOLOGIES PVT. LTD. D.NO.5-81-128, OPP. NAKSHATRA HOTEL, LAXMIPURAM, GUNTUR AND RIO. GOPALAMVAR!PA1EM, CHILAKALURIPET, GUNTUR DISTRICT.

...PETITIONER

AND

1. STATE OF AP REP BY ITS P P AND ANOTHERS, REPRESENTED BY ITS PUBLIC PROSECUTOR, HIGH COURT OF A.P. HYDERABAD.
2. MOPARTHI CHINA SAMBAIAH, S/O. SURIAIAH, AGED 54 YEARS, R/O. 4-7-2/A, KORITEPADU, GUNTUR

...RESPONDENT(S):

Revision filed under Section 397/401 of CrPC praying that in the circumstances stated in the affidavit filed in support of the Criminal Revision Case, the High Court may be pleased to aggrieved Against the order dated 14-08-2013 made in Criminal Appeal No.40312012 on the file of the Hon'ble Family Court Additional Dist Judge, Guntur filed against the order dated 09-'2012 in C.C. No.298/09 on the file of the V Addl. Junior Civil Judge, Guntur.

IA NO: 1 OF 2014(CRLRCMP 120 OF 2014)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to condone the delay of 59 days in re presentation of CrIRc.

IA NO: 2 OF 2014(CRLRCMP 158 OF 2014)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to enlarge the petitioner on bail or to suspend the operation of the order of sentence dt.14.8.2013 made in criminal appeal No.403/2012 on the file of the Hon'ble family court cum Addl. Dist. Judge, Guntur, pending disposal of the main criminal revision case and pass

IA NO: 1 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased May be pleased to permit the petitioner and the 2nd respondent to compound the offence under Section 138 of the Negotiable Instruments Act in C.C. No. 298 of 2009 on the file of the V Addl. Junior Civil Judge, Guntur and consequently set aside the conviction and sentence passed in C.C. No. 298 of 2009 judgement dated 09.10.2011 on the file of V Addl. Junior civil Judge, Guntur and confirmed in Criminal Appeal No. 403 of 2012 Judgment dated 14.08.2013 on the file of Honble Family Court cum Additional District Judge, Guntur and pass

IA NO: 2 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased May be pleased to permit the petitioner to compromise the case by compounding the offence under Section 138 of the Negotiable Instruments Act in C.C. No. 298 of 2009 on the file of the V Addl. Junior Civil Judge, Guntur, and consequently set aside the conviction and sentence in C.C. No. 298 of 2009 and Criminal Appeal No. 403 of 2012, and pass

Counsel for the Petitioner:

- 1.HARANADHA RAJU KATTA

Counsel for the Respondent(S):

- 1.KODURU BUJJI BABU
- 2.PUBLIC PROSECUTOR (AP)

The Court made the following:

THE HONOURABLE SRI JUSTICE SUBHENDU SAMANTA

I.A.No.1 of 2026 and I.A.No.2 of 2026

In/And

CRIMINAL REVISION CASE NO: 87/2014

COMMON ORDER:

1. I.A.No.01 of 2026 is filed seeking permission to file application for compounding the instant Criminal Revision Case.
2. I.A.No.02 of 2026 is filed for recording the compromise to compound the offence.
3. The instant Criminal Revision Case has been preferred against order of conviction and sentence passed in C.C.No.298 of 2009 by learned V Additional Junior Civil Judge, Guntur which was confirmed by learned Appellate Court in CrI.A.No.403 of 2012. The petitioner was convicted under section 138 of Negotiable Instruments Act, 1881¹ (For brevity 'the N.I.Act').
4. Perused both applications and also perused joint memo signed by the petitioner as well as respondent No.2.
5. Defacto complainant, namely Morapati China Sambaiah, appeared personally before this Court. On enquiry, he submitted that there are settlement between the petitioner and defacto complainant. As part of amicable settlement, he has accepted the entire cheque amount along with the agreed compensation. He further submitted that he voluntarily signed the joint memo without any compulsion. He also stated that he has no objection to the petitioner being released.
6. Having heard learned counsels for the parties.
7. Considering the submissions of the defacto complainant as well as the joint memo, it appears that the joint memo has been duly signed by the

¹ The N.I.Act,1881

parties. The learned counsel for the parties have also attested the signatures of their clients. Accordingly, the joint memo is accepted.

8. The instant petitioner was convicted for the offence punishable under Section 138 of the N.I. Act. The offence under Section 138 of the N.I. Act is compoundable in nature. As the parties have effected a compromise, I find no legal impediment to compounding the offence. Accordingly, the order of conviction recorded against the present petitioner in C.C. No. 298 of 2009 by the learned V Additional Junior Civil Judge, Guntur, and confirmed by the learned Judge, Family Court-cum-Additional District Judge, Guntur, in CrI. A. No. 403 of 2012, is hereby set aside as compounded. Consequently, the present petitioner is acquitted of the case. The sureties are also released.

9. Under the above observations, the Criminal Revision Case is disposed of.

Consequently, pending miscellaneous applications, if any, shall stand closed.

JUSTICE SUBHENDU SAMANTA

Dated:04.05.2026.
SSA