



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

[3396]

MONDAY, THE TWENTIETH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

I.A.Nos.1 and 2 of 2026

In/and

CRIMINAL REVISION CASE NO: 490/2019

Between:

1.G NARESH, S/O.SURYANARAYANA, HINDU, MALE, AGED 28 YEARS. R/O.KONAPALLI ROAD, KALLA VILLAGE AND MANDAL, WEST GODAVARI DISTRICT.

...PETITIONER

AND

1.KATURI RAKESH, S/O.LATE TIRUMALA RAO, HINDU, MALE AGED 28 YEARS, R/O.FIT ZONE GYM, MUNICIPAL COMPLEX, WEDNESDAY MARKET, BHIMAVARAM-1, WEST GODAVARI DISTRICT.

2.THE STATE OF ANDHRA PRADESH, REP. BY THE PUBLIC PROSECUTOR, HIGH COURT AT AMARAVATHI

...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 allow the present Criminal Revision Case by setting aside the Judgment dated 18-04-2019 passed in CrI.A.No. 478 of 2018 on the file of the Court of the III Additional Sessions Judge, Bhimavaram, West Godavari District modifying and confirming the conviction and sentence imposed in the Calendar and Judgment dated 31-10-2018 passed in C.C.No. 92 of 2017 on the file of the Court of the Principal Junior

Civil Judge-cum Judicial Magistrate of First-Class, Bhimavaram, West Godavari District

IA NO: 1 OF 2019

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 suspend the conviction and sentence imposed in the Calendar and Judgment dated 31-10-2018 passed in C.C.No. 92 of 2017 on the file of the Court of the Principal Junior Civil Judge-cum-Judicial Magistrate of First Class, Bhimavaram, West Godavari District as confirmed and modified in the Judgment dated 18-04-2019 passed in Crl.A.No. 478 of 2018 on the file of the Court of the III Additional Sessions Judge, Bhimavaram, West Godavari District and consequently enlarge the Petitioner on bail pending disposal of the above 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 to permit the Respondent No. 1/Defacto-Complainant to withdraw the complaint given by him and to compound the offence under Section 138 of Negotiable Instruments Act, 1881 and acquit the petitioner by setting aside the conviction and sentence imposed in the Calendar and Judgment dated 31-10-2018 passed in CC.No.92 of 2017 on the file of the Court of the Principal Junior Civil Judge-cum-Judicial Magistrate of First Class, Bhimavaram, West Godavari District as modified and confirmed in the Judgment dated 18-04-2019 passed in Crl.A.No.478 of 2018 on the file of the Court of the III Additional Sessions Judge, Bhimavaram, West Godavari District 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 to compound the offence by recording the compromise entered between the parties in Crl.Rc.No.490 of 2019 and acquit the Petitioner/Accused for the offence under Sec. 138 of Negotiable Instruments Act, 1881 by setting aside the conviction and sentence imposed in the Calendar and Judgment dated 31.10.2018 passed in CC.No.92 of 2017 on the file of the Court of the Principal Junior Civil Judge-cum-Judicial Magistrate of First Class, Bhimavaram, West Godavari District as modified and confirmed in the Judgment dated 18.04.2019 passed in Crl.A.No.478 of 2018 on the file of the

Court of the III Additional Sessions Judge, Bhimavaram, West Godavari District and pass

Counsel for the Petitioner:

1.P DURGA PRASAD

Counsel for the Respondent(S):

1.PUBLIC PROSECUTOR (AP)

2.K MUNI REDDY BALA PRASAD

The Court made the following:

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA**I.A.Nos.1 and 2 of 2026****In/and****CRIMINAL REVISION CASE NO: 490 of 2019****COMMON JUDGMENT:**

This Criminal Revision Case has been filed under Sections 438 and 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity 'the BNSS') seeking to challenge the Judgment, dated 18.04.2019 passed in Crl.A.No.478 of 2018 on the file of the learned III Additional Sessions Judge, Bhimavaram, West Godavari District, confirming the Judgment of conviction and sentence of the petitioner passed by the learned Principal Junior Civil Judge-cum-Judicial Magistrate of First Class, Bhimavaram in C.C.No.92 of 2017, dated 31.10.2018.

2. Heard the learned counsel for the petitioner, learned Assistant Public Prosecutor for the State and learned counsel for the respondent No.1.

3. The petitioner and respondent No.1 are present. They have compromised the matter. They filed I.A.Nos.1 and 2 of 2026 along with joint memo and affidavits, which have been countersigned by the learned counsel for both sides.

4. The respondent No.1 is permitted to compromise the matter with the petitioner under Section 320(6) of Criminal Procedure Code (for short 'the Cr.P.C.'), read with Section 147 of Negotiable Instruments Act.

5. In that view of the matter, I.A.Nos.1 and 2 of 2026 are allowed in terms of the compromise recorded. Consequently, the Criminal Revision Case is allowed in terms of compromise. The petitioner is directed to pay an amount of Rs.15,000/- towards costs, to the High Court Legal Services Committee by 20.04.2026. Learned counsel for the petitioner placed on record the receipt dated 20.04.2026 to show the payment of costs of Rs.15,000/- to the High Court Legal Services Committee.

6. Accordingly, the Judgments in C.C.No.92 of 2017, dated 31.10.2018 on the file of Principal Junior Civil Judge-cum-Judicial Magistrate of First Class, Bhimavaram and in Crl.A.No.478 of 2018, dated 18.04.2019 on the file of III Additional Sessions Judge, Bhimavaram are hereby set aside. Accordingly, the petitioner is acquitted.

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

DR. JUSTICE VENKATA JYOTHIRMAI PRATAPA

Date: 20.04.2026.

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THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

I.A.Nos.1 and 2 of 2026

In/and

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Dt.20.04.2026

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