

HIGH COURT OF ANDHRA PRADESH AT AMARAVATI**MAIN CASE No: CrI.P.No.3189 of 2026****PROCEEDING SHEET**

Sl. No.	DATE	ORDER	OFFICE NOTE
01.	21.04.2026	<u>Dr.YLR,J</u> Heard the learned counsel for the petitioner and the learned Assistant Public Prosecutor. Issue notice to respondent No.1. The learned counsel for the petitioner is permitted to take out personal notice on respondent No.1 and file proof to that effect. The petitioner is aged about 60 years. She was convicted for the alleged offence under Section 138 of the Negotiable Instruments Act, 1881 (for brevity 'the N.I.Act') by the learned Trial Court. The learned Appellate Court, while suspending the sentence, directed the petitioner to deposit 20% of the cheque amount. The learned counsel for the petitioner submits that the petitioner has been suffering from ill health, and her son has suffered severe loss in his business; therefore, he is unable to pay the compensation amount. In this regard, it is apposite to refer judgment of the Hon'ble Apex Court wherein at Jamboo Bhandari v. M.P. SIDC Ltd¹ at Paragraph Nos.7 to 10, it is held that the court under exceptional cases	Contd...

¹ (2023) 10 SCC 446

	may grant suspension of sentence without imposing the condition of deposit of 20% of the fine/compensation amount. Further, learned Single Judge of this Court in Crl.P.No.9202 of 2025 relying on the judgment of the Hon'ble Apex Court in Jamboo Bhandari <i>supra</i> passed a similar order. Be that as it may, the alleged offence is compoundable as per Section 147 of 'the N.I.Act.' Hence, the impugned order is slightly modified, and the petitioner is directed to deposit 10% of the compensation awarded by the learned Trial Court within a period of four (04) weeks from the date of receipt of the copy of this order before the learned Trial Court. On such deposit, Respondent No.1 is at liberty to withdraw the same upon furnishing sufficient sureties to the satisfaction of the learned Trial Court. Considering the entire facts and circumstances the matter is referred to mediation. Mr. K.Muni Reddy Bala Prasad, learned trained Mediator, is appointed as the Mediator in this case. The Secretary, High Court Legal Services Committee, is directed to issue necessary proceedings in that regard. The fee for the Mediator shall be fixed at a later point of time. The petitioner and Respondent No.1 are directed to appear before the learned Mediator on	Contd...
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05.05.2026 or on any other convenient date for the parties and the Mediator.

The learned Appellate Court is hereby directed to drive the parties before the Mediator for amicable settlement.

Post the matter after Summer Vacation-2026, for Mediator's report.

Until the conclusion of the mediation proceedings, there shall be a stay of all further proceedings in CrI.A.No.10 of 2026 on the file of the learned VIII Additional District and Sessions Judge, Vijayawada.

Dr.YLR,J

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