

APHC010354562015



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

[3560]

FRIDAY, THE THIRTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE SUBHENDU SAMANTA

CRIMINAL REVISION CASE NO: 685/2015

Between:

1. KATRAGADDA RAVI KUMAR, KRISHNA DT., OCC: BUSINESS, R/O
DONKA ROAD, PATAMATA, VIJAYAWADA, KRISHNA DT.

...PETITIONER

AND

1. VENNA NARAYANARAO KRISHNA ANR REP PP, OCC: BUSINESS,
R/O.D.NO.61-4-15, KOTAVARI STREET, BALAJI NAGAR, KRISHNA
LANKA, VIJAYAWADA, KRISHNA DISTRICT.

2. THE STATE OF A P, REP. BY PUBLIC PROSECUTOR, HIGH COURT
OF JUDICATURE AT HYDERABAD FOR THE STATE OF TELANGANA
AND THE STATE OF ANDHRA PRADESH.

...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 revise the Judgment dated 27.03.2015, in CrI.A.24 of 2014 on the file of the Hon'ble XII Additional Sessions Judge, Krishna Dist at Vijayawada, in confirming the sentence and judgment dated 26-02-2014 passed in C.C.No.368 of 2011 on the file of the Hon'ble First Additional Chief Metropolitan Magistrate, Vijayawada, Krishna District, for the alleged offence under Section 138 of the Negotiable Instruments Act, wherein the petitioner was convicted and sentenced to undergo simple imprisonment for a period of one

year and to pay fine of Rs.10,000/-, in default, to suffer simple imprisonment for a period of three months, and set aside the same and grant such other relief as it deems fit in the circumstances of the case.

IA NO: 1 OF 2015(CRLRCMP 1137 OF 2015)

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 operation and effect of the Judgment dated 27.03.2015, in Crl.A.24 of 2014 on the file of the Hon'ble XII Additional Sessions Judge, Krishna Dist at Vijayawada, in confirming the sentence and judgment dated 26-02-2014 passed in C.C.No.368 of 2011 on the file of the Hon'ble First Additional Chief Metropolitan Magistrate, Vijayawada, Krishna District, pending disposal of the Crl.R.C., and pass such other order or orders.

IA NO: 2 OF 2015(CRLRCMP 1163 OF 2015)

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 by suspending the Judgment dated 27.03.2015, in Crl.A.24 of 2014 on the file of the Hon'ble XII Additional Sessions Judge, Krishna Dist at Vijayawada, in confirming the sentence and judgment dated 26-02-2014 passed in C.C.No.368 of 2011 on the file of the Hon'ble First Additional Chief Metropolitan Magistrate, Vijayawada, Krishna District, where in the petitioner was convicted and sentenced to undergo simple imprisonment for a period of one year and to pay fine of Rs.10,000/-, in default, to suffer simple imprisonment for a period of three months, in the interest of justice and pass such other order or orders as it deems fit and proper in the circumstances of the case.

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 re call the Criminal Revision Case No.685 of 2015 and to compound the Calendar Case No.368/2011 on the file of the learned I Additional Chief Metropolitan Magistrate Court, Vijayawada for the offence U/S 138 of Negotiable Instruments Act, 1881 by Compounding the offence against the Petitioner/Accused under section 147 of the Negotiable Instruments (Amendment and Miscellaneous Provisions) Act, 2002 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 grant leave to permit the Petitioner to file a Petition U/S 147 of the N.I.Act to compound the Calendar Case No.368/2011 on the file of the learned I Additional Chief Metropolitan Magistrate Court, Vijayawada for the offence U/S 138 of Negotiable Instruments Act,1881 by Compounding the offence against the Petitioner/Accused under section 147 of the Negotiable Instruments (Amendment and Miscellaneous Provisions) Act, 2002 and pass

IA NO: 3 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 dispense with the filing of the certified copy of order passed in Criminal Revision Case No.685 of 2015 on the file of the Hon'ble High Court of A.P. and pass

IA NO: 4 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 Calendar Case No.368/2011 on the file of the learned I Additional Chief Metropolitan Magistrate Court, Vijayawada for the offence U/S 138 of Negotiable Instruments Act,1881by Compounding the offence against the Petitioner/Accused under section 147 of the Negotiable Instruments (Amendment and Miscellaneous Provisions) Act, 2002 and pass

Counsel for the Petitioner:

1.G L NAGESWAR RAO

Counsel for the Respondent(S):

1.-

2.J SIVA SANKARA RAO

3.PUBLIC PROSECUTOR

The Court made the following:

THE HONOURABLE SRI JUSTICE SUBHENDU SAMANTA

I.A.No.2 of 2026 and I.A.No.4 of 2026

In/And

CRIMINAL REVISION CASE NO: 685/2015

COMMON ORDER:

1. I.A. No.02 of 2026 is filed for granting relief to permit the petitioner to file application under 147 of Negotiable Instrument Act.
2. I.A.No.04 of 2016 is filed for recording of compromise between the parties. Heard the learned counsel for the petitioner.
3. Perused the body of application in I.A No.04 of 2026, it appears that the Defacto-complainant namely Veera Narayana Rao sworn the affidavit contending interalia that the matter in dispute between the petitioner and complainant was settled outside the court. In terms of such compromise, one combined memo was filed by them.
4. Combined memo was duly attested by the parties and also signed by the respective learned counsel.
5. Perused the affidavit as well as joint memo filed by the parties. Parties in person are present before this Court.
6. Petitioner to this Criminal Revision Case has submits that he had already given the entire cheque amount along with the compromise amount to the respondent/complainant.
7. Defacto-Complainant Veera Narayana Rao has stated before this Court that he is satisfied and received the amount. He also stated that he has no complaint at present against the petitioner and he has no objection, if the petitioner is acquitted from this case.

8. Considering the submissions of the parties in person, as well as joint memo filed by the petitioner/respondent No.1, it is crystal clear that this matter was compromised between the parties outside the court. As the cheque amount has already been paid and the matter was settled, there is no impediment to pass necessary order. Accordingly, the offence against the present petitioner under section 138 of N.I Act is hereby compounded. Order of Conviction and sentence passed against petitioner by the learned Trial court and confirmed by the learned Appellate Court is hereby set aside.

9. The petitioner is set at liberty and he is acquitted under section 138 of Negotiable Instruments Act.

10. Accordingly, the reasons stated herein above applications being I.A.Nos.2 & 4 of 2026 are disposed of.

11. The entire Criminal Revision Case is hereby disposed of, declaring the petitioner to be acquitted from this case.

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

JUSTICE SUBHENDU SAMANTA

Dated:13.02.2026.
CMK/SSA

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THE HONOURABLE SRI JUSTICE SUBHENDU SAMANTA

I.A.No.2 of 2026 and I.A.No.4 of 2026

And

CRIMINAL REVISION CASE NO: 685/2015

Dated:13.02.2026

CMK/SSA