



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

[3560]

TUESDAY, THE FIFTH DAY OF MAY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE SUBHENDU SAMANTA

I.A.No.2 of 2025 and I.A.No.3 of 2025

In/And

CRIMINAL REVISION CASE NO: 1718/2011

Between:

1. SYED MOHAMMED GHOUSE, S/O. SYED BHSHEERUDDIN
EMPLOYEE IN SUB COLLECTOR OFFICE, R/O.
RAMPACHODAVARAM, E.G.DISTRICT.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, Rept. by its Public Prosecutor,
High Court of A.P., Hyderabad.

...RESPONDENT

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 represent the Memorandum of Criminal Revision petition against the orders passed in CrI.A.No. 30 of 2010 on the file of the III Additional District and Sessions Judge, Kakinada by its orders dated 05-08-2011 confirming the orders passed in C.C.No. 37 of 2009 on the file of the Judicial Magistrate of First Class Special Mobile Court: Kakinada by its orders dated 04-02-2010.

IA NO: 1 OF 2011(CRLRCMP 2563 OF 2011)

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 sentence awarded in C.C.No. 37 of 2009 on the file of the Judicial Magistrate of First Class Special Mobile Court: Kakinada by its orders

dated 04-02-2010 as confirmed by the orders passed in Crl.A.No. 30 of 2010 on the file of the III Additional District and Sessions Judge, Kakinada by its orders dated 05-08-2011 and release him on bail, pending disposal of the above Crl.Rc.

IA NO: 1 OF 2014(CRLRCMP 3513 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 pass orders impleading Mr. Vasamsetti Siva Sankar Rao, S/o. Surya Rao, Aged: 35 years, Occupation: Business, R/o. Cheediga, Kakinada Rural Mandal, East Godavari District A.P., as Respondent No.2 in Crl.RC.No.1718/2011 and Crl.RC.MP.No.2563/2011

IA NO: 2 OF 2014(CRLRCMP 3514 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 vacate the order passed in CRL.RC.MP.No.2563/2011 in CRL.RC.No.1718/2011 dated 25.08.2011 suspending the substantive Sentence of imprisonment pending disposal of the Crl.RC

IA NO: 1 OF 2025

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 days in re-presenting the above IA SR NO. 51745 of 2025 and IA SR NO. 51746 of 2025 in CRL.R.C. No. 1718 of 2011 and in the interests of justice and pass

IA NO: 2 OF 2025

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 petitioner herein and complainant to enter into compromise pursuant to the learned mediators report dated: 08.05.2025 for recording the compromise between the complainant and the accused/revision petitioner in terms of the Compromise Petition file vide IA SR No. OF 2025 in CRL RC No. 1718 of 2011 on the file of this Hon'ble Court by allowing the Criminal Revision Petition in the interests of justice and pass

IA NO: 3 OF 2025

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 record the compromise between the complainant and the accused/revision petitioner in CRL.R C 1718 of 2011 on the file of this Hon'ble Court by allowing the Criminal Revision Petition in terms of the Compromise pursuant to the Learned Mediators Report submitted to this Hon'ble Court on 08.05.2025 in the interests of justice and pass

Counsel for the Petitioner:

1.M SRI ATCHYUT

Counsel for the Respondent:

1.C SUNIL KUMAR REDDY

2.PUBLIC PROSECUTOR (AP)

The Court made the following:

THE HONOURABLE SRI JUSTICE SUBHENDU SAMANTA

I.A.No.2 of 2025 and I.A.No.3 of 2025

In/And

CRIMINAL REVISION CASE NO: 1718/2011

COMMON ORDER:

1. I.A.No.02 of 2025 is filed seeking permission to effect compromise between the parties on the basis of mediation report.
2. I.A.No.03 of 2025 is filed for recording the compromise to compound the offence. It appears that parties have approached before the mediation of this Court wherein the mediation was conducted subsequently in terms of mediation, the respondent has received entire cheque amount along with the compensation amount. The cheque amount was already been given to the complainant through Demand Draft dated 08.05.2025.
3. Considering the entire aspect, it appears that since parties have compromise the matter through mediation, it is not necessary to proceed further in this matter. Accordingly, I.A.No.02 & 03 of 2025 are considered and allowed.
4. The instant Criminal Revision Case has been preferred against order of conviction and sentence passed in C.C.No.37 of 2009 by learned Judicial Magistrate of First Class, Special Mobile Court, Kakinanda which was confirmed by learned III Additional District & Sessions Judge, Kakinada in CrI.A.No.30 of 2010. The petitioner was convicted under section 138 of Negotiable Instruments Act, 1881¹ (For brevity 'the N.I.Act').
5. Perused both applications as well as mediation report. Having heard learned counsels for the parties.
6. The instant petitioner was convicted for the offence punishable under Section 138 of the N.I. Act. As the parties have effected a compromise, I find

¹ The N.I.Act,1881

no legal impediment to compounding the offence in terms of the compromise as well as the mediation report. Accordingly, the order of conviction recorded against the present petitioner in C.C. No. 37 of 2009 by the learned Judicial Magistrate of First Class, Special Mobile Court, Kakinada, which was confirmed by the learned III Additional District & Sessions Judge, Kakinada in Crl. A. No. 30 of 2010, is hereby set aside as compounded. Consequently, the present petitioner is acquitted of the case, and the sureties are also released.

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

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

JUSTICE SUBHENDU SAMANTA

Dated:05.05.2026.
SSA