

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**TUESDAY, THE SEVENTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 5064 OF 2026

Between:

Y. Rama Krishna, S/o. Late Y.Pentaiah, Aged about 48 years, Occ. Business,
R/o. H.No. 23-5-1178/3, Inside Gowlipura, Hyderabad, Telangana.

...Petitioner/Petitioner/Petitioner/Appellant

AND

1. The State of Telangana, Through its Public Prosecutor, High Court at Hyderabad
2. Dr. Kiran Kumar Chowhan, S/o. Late Mahavir Singh Chowhan, Aged 54 years, Occ.Doctor, R/o. H.No. 17-1-391/1D/2, ID Colony, Saidabad, Hyderabad

...Respondents/ Respondents/ Respondents/ Respondents

Petition under Section 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to modify the impugned order dated 24.03.2026 passed in CrI.M.P.No 64 of 2025 which is reiterated again in CrI. M.P. 175 of 2026 in CrI. MP. No. 64 of 2025 in CrI. Appeal No. 144 of 2025 on the File of Learned V. Addl. Sessions Judge, Hyderabad, by reducing the conditional order of 20% deposit, in the interest of justice.

I.A. NO: 1 OF 2026

Petition under Section 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to suspend the conditional order of 20 % deposit passed in the CrI.M.P. No. 175 of 2026 in CrI.MP. No. 64 of 2025 in CrI. Appeal No. 144/2025, dated 24.03.2026, on

the File of Learned V. Addl. Sessions Judge, Hyderabad, while permitting the recall warrant petition on other conditions and consequently the petitioner may be permitted to submit surety and warrant recalled, in the interest of justice and to pass such other order or orders as this Hon'ble Court deems fit and proper in the circumstances of the case.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri S.J.A.Nadeem, Advocate for the Petitioner and Sri Jitender Rao Veeramalla, Additional Public Prosecutor on behalf of the Respondent No.1 and none appeared for the Respondent No. 2.

The Court made the following: ORDER

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

THE HONOURABLE SRI JUSTICE J.SREENIVAS RAO

CRIMINAL PETITION No.5064 of 2026

Date: 07.04.2026

Between:

Y.Rama Krishna

...Petitioner

AND

The State of Telangana and another

...Respondents.

ORDER

This Criminal Petition is filed by the petitioner/appellant/ accused questioning the order dated 24.03.2026, passed by the learned V Additional Sessions Judge, Hyderabad, in CrI.M.P.No.175 of 2026 in CrI.M.P.No.64 of 2025 in CrI.A.No.144 of 2025, on the ground that the Sessions Judge imposed an onerous condition.

2. Heard Mr.S.J.A.Nadeem, learned counsel for the petitioner and Mr.Jithender Rao Veeramalla, learned Additional Public Prosecutor for respondent No.1.

3. With the consent of both the learned counsel, the criminal petition is disposed of at the admission stage.

4. Notice in respect of respondent No.2 is dispensed with, on the ground that the petitioner has filed the present criminal petition only challenging the imposition of the condition to deposit 20% of the compensation amount, and no relief is sought against respondent No.2.
5. Learned counsel for the petitioner submitted that the learned trial Court convicted the petitioner for the offence under Section 138 of the Negotiable Instruments Act, 1881 (for short 'NI Act') and sentenced him to undergo simple imprisonment for a period of six months and to pay fine of Rs.44,01,000/-, out of which Rs.1,000/- shall be paid to the State and Rs.44,00,000/- be paid to the complainant as compensation, in default of which, to undergo simple imprisonment for a period of three months. Aggrieved thereby, the petitioner preferred an appeal before the learned Sessions Judge, who, while suspending the sentence imposed by the trial Court, imposed a condition directing the petitioner to deposit 20% of the compensation amount within 60 days from the date of receipt of the order.
6. Learned Additional Public Prosecutor submitted that, in similar circumstances, this Court by placing reliance upon the principle laid
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down by the Hon'ble Supreme Court in *Sanjabij Tari v. Kishore S. Borcar*¹, has reduced the compensation amount from 20% to 10%.

7. Taking into consideration the submissions made by the respective parties and the principle laid down by Hon'ble Supreme Court in *Sanjabij Tari* (supra), the impugned order 24.03.2026, passed by the learned V Additional Sessions Judge, Hyderabad, in Crl.M.P.No.175 of 2026 in Crl.M.P.No.64 of 2025 in Crl.A.No.144 of 2025, is modified, directing the petitioner to deposit 10% of the compensation amount within a period of four (04) weeks from today. In default of depositing the said amount within the stipulated period, the learned Sessions Judge is entitled to proceed with the matter in accordance with law.

8. Accordingly, the criminal petition is disposed of.

Pending miscellaneous applications, if any, shall stand closed.

//TRUE COPY//

SD/- N.SRIHARI
DEPUTY REGISTRAR

SECTION OFFICER

To,

1. The V. Addl. Sessions Judge, Hyderabad
2. One CC to Sri S.J.A.Nadeem, Advocate [OPUC]
3. Two CCs to PUBLIC PROSECUTOR High Court for the State of Telangana, at Hyderabad [OUT]
4. Two CD Copies

BA/PSL

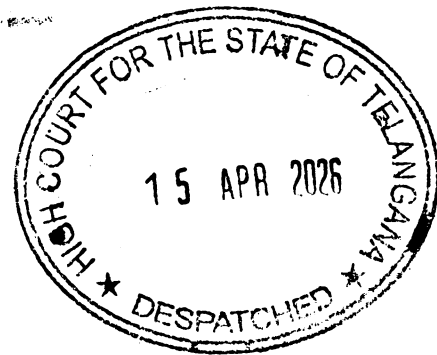
¹ 2025 SCC OnLine SC 2069

HIGH COURT

DATED: 07/04/2026

ORDER

CRLP.No.5064 of 2026



DISPOSING OF THE CRIMINAL PETITION

(7) NT
15/4/26.