

2. Challenge in the present appeal is to the order dated 5.7.2010 whereby the High Court dismissed the Criminal Revision Case No. 992 of 2010 against the judgment dated 27.4.2010 passed by the learned Principal Sessions Judge, Nalgonda affirming the judgment and order dated 26.9.2007 passed by learned Judicial Magistrate by which the appellant was convicted under Section 138 of Negotiable Instrument Act and sentenced to undergo rigorous imprisonment for one year and to pay compensation of Rs. 1,30,000/-, in default to undergo simple imprisonment for six months.

3. We have heard learned counsel appearing for the parties.

4. Learned counsel appearing for the parties have filed on record an application under Section 320 Cr.P.C. seeking leave of the Court to compound the offence and acquit the appellant in terms of memo of compromise dated 21.10.2010.

5. Considering the overall circumstances and further the fact that the parties have compromised the matter, the offence in
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question stands compounded. In the result, the judgment and order dated 26.9.2007 passed by the trial court in C.C. No. 447 of 2005 convicting and sentencing the appellant and upheld by the learned Principal Sessions Judge and High Court are set-aside and the appellant is acquitted. His bail bonds are discharged.

6. The appeal stands disposed of accordingly.

.....J.
(V.S.SIRPURKAR)

.....J.
(T.S.THAKUR)

New Delhi,
July 8, 2011.