

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

CRIMINAL APPEAL NO.819 OF 2000

P.P. JOHN

Appellant (s)

VERSUS

K.M. MATHAPPAN AND ANR.

Respondent(s)

(For compromise)

Date: 14/08/2006 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. AGRAWAL

HON'BLE MR. JUSTICE P.P. NAOLEKAR

For Appellant(s)

Mr. Romy Chacko,Adv.

Mr. Rajiv Mehta,Adv.

For Respondent(s)

(State)

Mr. G.Prakash,Adv.

Mr. Ramesh Babu M.R.,Adv.

No.1

Mr. N.R. Shonker,Adv.

Mr. P.V. Yogeswaran,Adv.

UPON hearing counsel the Court made the following

O R D E R

Heard learned counsel for the parties.

The criminal appeal is allowed, conviction and sentence of the appellant are set aside and he is acquitted of the charge, in view of the compromise.

The appellant, who is in bail, is discharged from the liability of bail bonds.

[Alka Dudeja]

[Om Prakash

Court Master

Court Master

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.819 OF 2000

P.P. John

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K.M. Mathappan & Anr.

...

Respondent(s)

O R D E R

Heard learned counsel for the parties.

The appellant was convicted by the Trial Court under Section 138 of the Negotiable Instruments Act, 1881, and sentenced to undergo rigorous imprisonment for a period of one year. On appeal being preferred, the appellant was acquitted. Thereafter, when the matter was taken to the High Court in revision, the same has been allowed, the order of acquittal reversed and the conviction recorded by the Trial Court restored. Hence, this appeal by special leave.

In this case, it appears that both the parties have compromised the matter and the accused has paid the entire amount to the complainant, as it would appear from the compromise petition. The offence is compoundable. In our view,

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the compromise is lawful. Accordingly, the criminal appeal is allowed, conviction and sentence of the appellant are set aside and he is acquitted of the charge, in view of the compromise.

The appellant, who is on bail, is discharged from the liability of bail bonds.

.....J.

[B.N. AGRAWAL]

.....J.

[P.P. NAOLEKAR]

New Delhi,

August 14, 2006.