

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NOS.127-143 OF 1999

SAJAN K. VARGHESE & ORS.

... APPELLANTS

VERSUS

STATE OF KERALA

... RESPONDENT

O R D E R

The challenge in this appeal is to the order of the High Court refusing to quash the proceedings under Section 406 and 420 IPC against the appellants.

It is contended by Mr. K.T.S. Tulsi, learned senior counsel, appearing for the appellants that apart from no ingredient of the offence of Section 420 IPC has been made out the appellants had made the payment due to complainants and all the complainants have received the payment from the appellants. In our order dated 28.9.2005, we directed the counsel for the appellants to verify as to whether the third complainant in CC 1052/1996 has received the entire deposited amount back from the appellants. The third complainant in his affidavit dated 3rd October, 2005 in complaint No.1052/1996 stated that he has received the entire deposited amount of Rs.10,000/- from the appellants. The offences against the appellants, as already stated, are under Section 406 and 420 IPC and both the offences are compoundable. Since



(With appln(s) for permission to place addl. documents on record)

Date: 17/11/2005 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.K. SEMA

HON'BLE MR. JUSTICE C.K. THAKKER

For Appellant(s)

Mr. K.T.S. Tulsi, Sr.Adv.

Mr. L. Nageswara Rao, Sr.Adv.

Mr. K.P. Dandapani, Adv.

Mr. E.M.S. Anam,Adv.

For Respondent(s)

Mr. Roy Ebrahim, Adv.

Mr. Ramesh Babu M.R.,Adv.

UPON hearing counsel the Court made the following

O R D E R

Mr. K.T.S. Tulsi, learned senior counsel argued the matter for about fifteen minutes.

The appeals are disposed of in terms of the signed judgment.

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(PAWAN KUMAR)

(PREM PRAKASH)

COURT MASTER

COURT MASTER

(signed order is placed on the file)