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SLP(Crl.)No. 2908 OF 2000
ITEM No.201

Court No. 6

SECTION II
A/N MATTER

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

Petition(s) for Special Leave to Appeal (Crl.) No. 2908/2000

(From the judgment and order dated 15/11/1999 in CRLRC.761/1998
of The HIGH COURT OF ANDHRA PRADESH AT HYDERABAD)

S. CHANDRAM

Petitioner (s)

VERSUS

G. SHANTHA & ANR.

Respondent (s)

(With Appln(s). for bail)
(For Final Disposal)

Date : 07/11/2003 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE Y.K. SABHARWAL
HON'BLE MR. JUSTICE B.N. AGRAWAL

For Petitioner (s) Mohd. Wasay Khan, Adv.
Mr. G. Ramakrishna Prasad, Adv.

For Respondent (s) M/s PS.Narasimha,P.Sridhar,
Ananga Bhattacharya, G.Seshagiri, Advs. for
M/s PSN. & Co.,Advs.

Mr. Guntur Prabhakar,Adv.

UPON hearing counsel the Court made the following
O R D E R

Learned counsel for the petitioner states that a sum of Rs.5,000/- has already been paid to the complainant and the banker's cheque in the sum of Rs.20,000/- which was sent three times by post could not be delivered to the complainant. We are not going into the question whether it was on account of wrong address or on account of non-availability of the complainant. Be that as it may, we direct that it may be handed over to the counsel for the complainant. On our direction the said banker's cheque dated 22nd August, 2003 has been handed over to learned counsel for the complainant, who has accepted it without prejudice.

The petitioner was convicted for offence under Section 138 of the Negotiable Instruments Act and rigorous imprisonment of one year was imposed on him, besides fine of Rs.5,000/-. It is stated by learned counsel for the petitioner that the fine amount has already been paid. The petitioner has already undergone sentence for a considerable period and was directed to be released on bail in terms of the Order of this Court dated 10th December, 2001. The principal sum of Rs.70,000/-, has also been paid. Having regard to the facts and circumstances of the case, we reduce the rigorous imprisonment of one year to the period already undergone and dispose of the Special Leave Petition.

(S. Thapar)

(V.P. Tyagi)

PS to Registrar

Court Master

