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SLP(Crl.)No. 1361 OF 2004
ITEM No.33

Court No. 2

SECTION II
A/N MATTER

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

Petition(s) for Special Leave to Appeal (Crl.) No. 1361/2004

(From the judgement and order dated 27/05/2002 in CRRP 686/98
of The HIGH COURT OF KERALA AT ERNAKULAM)

K.K. BALAKRISHNAN

Petitioner (s)

VERSUS

JOY KALLUNGAL & ANR.

Respondent (s)

(With Appln(s). for c/delay in filing SLP and permission to place addl.
documents on record)

Date : 10/09/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE N. SANTOSH HEGDE
HON'BLE MR. JUSTICE S.B. SINHA

For Petitioner (s)
Mr. C.K. Sasi, Adv.

For Respondent (s)Mr. Roy Abraham, Adv.
Mrs. Seema Jain, Adv.

Mr.Himinder Lal,Adv.

Mr. Ramesh Babu M.R.,Adv.

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

Heard learned counsel for the parties.

Leave granted.

The appeal is disposed of.

(PAWAN KUMAR) (PREM PRAKASH)
COURT MASTER COURT MASTER
(signed order is placed on the file)

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.993 OF 2004
(arising out of SLP(CRL.) No.1361 of 2004)

K.K. Balakrishnan.....Appellant

Versus

Joy Kallungal & Anr.Respondents

O R D E R

Heard learned counsel for the parties.

Leave granted.

Both the parties have filed an application under Section 147 of the Negotiable Instruments Act seeking compounding the offence which was the subject matter of CC No.215/1993 before the Judicial First Class Magistrates Court-I, Aluva, Kerala State. The Courts below have found the appellant guilty of the offence punishable under Section 138 of the Negotiable Instruments Act. But in view of the fact that the parties have now settled their dispute and on considering the prayer made in the application filed by the parties the offence is compounded and the sentence imposed on the appellant is set aside.

The appeal is disposed of.

.....J.
(N. SANTOSH HEGDE)

.....J.
(S.B. SINHA)

NEW DELHI,
SEPTEMBER 10, 2004.