

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(s).2960/2013

(From the judgement and order dated 11/09/2012 in CRLA No.88/2006 of the HIGH COURT OF KARNATAKA AT BANGALORE)

MAHESH Petitioner(s)

VERSUS

POTHEDAR SIDDAIAH (D) BY L.R.H.S.RAMESH Respondent(s)

(With appln(s) for exemption from filing O.T.,stay and office report)

Date: 16/09/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.L. DATTU
HON'BLE MR. JUSTICE M.Y. EQBAL

For Petitioner(s) Mr. N.L. Ganapathi,Adv.

For Respondent(s) Mr.Anand Sanjay M.Nuli, Adv.
Mr.Lave Kumar Sharma, Adv.
for M/S Nuli And Nuli,Adv.

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

Leave granted.

This Appeal is directed against the judgment and order passed by the High Court of Karnataka at Bangalore in Criminal Appeal No.88 of 2006(A), dated 11.09.2012, whereby and whereunder the High Court while allowing the appeal filed by the respondent-herein has set aside the order passed by the Additional Civil Judge (Jr. Dn.) and JMFC, Mandya and has convicted the appellant-herein for the offence punishable under Section 138 of the Negotiable Instruments Act (for short, "the NI Act") and imposed a fine of

: 2 :

Rs.5,50,000/- and further ordered that out of the said fine amount a sum of Rs.5,25,000/- shall be paid to the Complainant/respondent as compensation. Aggrieved by the said judgment and order of the High Court, the appellant is before us in this appeal.

We have heard learned counsel for the parties to the lis.

This Court, while issuing notice on 19.03.2013, has passed the following order:

".... There shall be stay of operation of the impugned order dated 11.09.2012 of the High Court of Karnataka at Bangalore in Criminal Appeal No.88 of 2006(A) subject to a condition, the petitioner depositing a sum of Rs.1,00,000/- (Rupees One Lakh) before

the Trial Court within a period of four weeks from today."

Having perused the records and in view of the peculiar facts and circumstances of the case, we are of the considered opinion that the order dated 19th March, 2013 passed by this Court be made absolute and is made absolute.

Ordered accordingly.

(G.V.Ramana)
Court Master

(Indu Satija)
Court Master