

SLP(Crl.)No. 3497 OF 2003

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. 527 OF 2004
(Arising out of SLP(Crl.) No. 3497 OF 2003)

RAMAKRISHNAN NAIRAP
PELLANT (S)

VERSUS

S. KRISHNA IYER & ANR.RES
RESPONDENT (S)

O R D E R

Heard the parties.
Leave granted.

The sole appellant was tried under Section 138 of the Negotiable Instruments Act and by order rendered by the trial court was acquitted of the charge. On appeal being preferred by the complainant, the High Court of Kerala reversed the acquittal and convicted the appellant under Section 138 of the Negotiable Instruments Act and sentenced him to undergo simple imprisonment for a period of six months. It was further directed that the appellant shall pay a sum of Rs. 2,50,000/- to the complainant. Hence, this appeal by special leave.

Both the parties have filed petition stating therein that they have settled up the matter amicably, as such, permission may be accorded to them to compound the

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offence. The affidavit dt. 10th of July, 2003 submitted by Mr. S.Krishna Iyer, respondent No. 1 is placed on record. In our view, the prayer is reasonable and must be granted.

Accordingly, the appeal is allowed, the impugned judgment rendered by the High Court is set aside and permission is granted to the parties to compound the offence.

.....J.
(B.N. AGRAWAL)

.....J.
(Dr. AR. LAKSHMANAN)

NEW DELHI;
April 23, 2004.

ITEM No.26

Court No.11

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. 3497/2003

(From the judgement and order dated 18/12/2002 in CRLA 386/97
of The HIGH COURT OF KERALA AT ERNAKULAM)

RAMAKRISHNAN NAIR

Petitioner (s)

VERSUS

S. KRISHNA IYER & ANR.

Respondent (s)

(With Appln(s). for bail and permission to compound the offence)

Date : 23/04/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. AGRAWAL
HON'BLE DR. JUSTICE AR. LAKSHMANAN

For Petitioner (s)

Ms. Deepa, Adv.

Mr. C.N. Sree Kumar, Adv.

For Respondent (s)

Mr. Ramesh Babu M.R., Adv.

Mr. K. Rajeev, Adv.

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

The appeal is allowed in terms of the signed order.

(Satish K. Yadav)
Court Master

(Kanwal Singh)
Court Master

(Signed order is placed on the file)