

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

Criminal Appeal No(s). 1348/2012

SCAN SYNTHETICS LTD.& ANR

Appellant(s)

VERSUS

STATE OF GUJARAT & ANR

Respondent(s)

(with office report)

Date : 25/03/2015 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.Y. EQBAL

HON'BLE MR. JUSTICE S.A. BOBDE

For Appellant(s)

Mr. Shyam Divan, Sr.Adv.

Mr. Amol Sharma, Adv.

Mr. Ateev Mathur, Adv.

For Mr. Gagan Gupta, Adv.

For Respondent(s)

For RR-1

Ms. Jesal, Adv.

For Ms. Hemantika Wahi, Adv.

For RR-2

Mr. K.V. Vishwanathan, Sr.Adv.

Mr. Saman Ashan, Adv.

Mr. Shekhar Srivastava, Adv.

Mr. Vipul Gupta, Adv.

For M/s. Khaitan & Co., Adv.

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

Heard learned senior counsel for the parties at length.

The appellants have come against the order dated 7.12.2011 passed by the High Court of Gujarat at Ahmedabad in Criminal Miscellaneous Application No. 8104 of 2010 dismissing their application under Section 482 of the Criminal Procedure

Code for quashing the criminal complaint lodged by respondent No.2 being Case No. 14382 of 2009 for the offences alleged to have been committed under Sections 406, 416 and 420 of the Indian Penal Code. It appears that the appellants and the respondent No.2 have long standing business of sale and purchase of goods. On the allegation of non payment of prices for the goods already supplied and for which three invoices were sent, the appellants tried to justify the non payment of the prices. The respondent No.2, on the allegation of misuse of kindness and genuineness, filed the above-mentioned complaint as also suit for recovery of the amount. The appellants have also filed suit against respondent No.2.

After hearing learned senior counsel for the parties, we deem it fit that the matter could be resolved through mediation.

As jointly agreed, we nominate Hon'ble Mr. Justice C.K. Thakker, former Judge of this Court to act as mediator. Hon'ble Mr. Justice C.K. Thakker is requested to mediate between the parties and get the entire disputes settled amicably.

Let the entire disputes (both civil and criminal) between the parties be resolved by the Mediator.

Both the parties are directed to submit all the necessary papers and documents and appear before him on the date fixed by His Lordship.

The Mediator shall be at liberty to fix his own remuneration at his sole discretion. Needless to say that the

fee and other charges shall be shared by both the parties equally.

The Registry is directed to communicate this order to Hon'ble Mr. Justice C.K. Thakker.

Let this matter be again listed in the month of July, 2015 awaiting report of the mediator.

(Sukhbir Paul Kaur)
Court Master

(Indu Pokhriyal)
Court Master