

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO(s). 1491 OF 2007

P.C.SEN & ANR. Appellant (s)

VERSUS

STATE OF MAHARASHTRA & ANR. Respondent(s)

WITH

- CRL. APPEAL NO. 1506 of 2007
- CRL. APPEAL NO. 1596 of 2007
- CRL. APPEAL NO. 1597 of 2007
- CRL. APPEAL NO. 1598 of 2007
- CRL. APPEAL NO. 1599 of 2007
- CRL. APPEAL NO. 1600 of 2007

O R D E R

1. All these seven appeals arise out of seven separate complaints filed by the respondent No.2 against the appellants under Section 138 of the Negotiable Instruments Act, 1881.
2. Learned counsel appearing for the respondent No.2/complainant, submits that the matter has since been settled out of Court between the parties and that as a result, the said respondent has agreed to withdraw all the complaints which have been filed and which are pending before the learned Magistrate.
3. Ms. Vibha Datta Makhija, learned counsel appearing for the appellants has no objection to the withdrawal of the complaints, but since such withdrawal is conditional, she submits that in case of breach of the terms of settlement, the proceedings before the trial court are revived, then these appeals should also stand revive.
4. Having regard to the nature of the settlement, such submission is accepted. Accordingly, the Criminal Appeals are disposed of on the basis of the settlement arrived at between the parties, subject to the condition that in the event the proceedings before the trial court are revived, then these Criminal Appeals shall also stand revive.
5. Let records of the case be sent to the trial court expeditiously.

(ALTAMAS KABIR)

.....CJI.

.....J
(J.CHELAMESWAR)

.....J
(VIKRAMAJIT SEN)

NEW DELHI;
January 17, 2013.

ITEM NO.101

COURT NO.1

SECTION IIA

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS
CRIMINAL APPEAL NO(s). 1491 OF 2007

P.C.SEN & ANR.

Appellant (s)

VERSUS

STATE OF MAHARASHTRA & ANR.

Respondent(s)

(With appln(s) for directions and with office report))

WITH

CRL. APPEAL NO. 1506 of 2007

(With appln(s) for directions and with office report)

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CRL. APPEAL NO. 1599 of 2007

(With appln(s) for directions and with office report)

CRL. APPEAL NO. 1600 of 2007

(With appln(s) for directions and with office report)

Date: 17/01/2013 These Appeals were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE J. CHELAMESWAR
HON'BLE MR. JUSTICE VIKRAMAJIT SEN

For Appellant(s)

Ms. Vibha Datta Makhija, AOR

For Respondent(s)

Mr. Ashok K.Gupta, Sr. Adv.

R.2

Mr. P.K. Manohar, AOR

Mr. M.Paikaraj, Adv.

Contd..2/-

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UPON hearing counsel the Court made the following

O R D E R

In terms of the signed order, the Criminal Appeals are disposed of on the basis of the settlement arrived at between the parties, subject to the condition that in the event the proceedings before the trial court are revived, then these Criminal Appeals shall also stand revive.

Let records of the case be sent to the trial court expeditiously. in terms of the signed order.

|(Sheetal Dhingra)
|Court Master

| |(Juginder Kaur)
|Assistant Registrar

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[Signed order is placed on the file]