

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

CRLMP.NO(s). 11087/2010 in
Petition(s) for Special Leave to Appeal (CrI)... 2010

(From the judgement and order dated 04/02/2008 in CRLRP No.
1513/2001 of The HIGH COURT OF KERALA AT ERNAKULAM)

M.MOHAMMED

Petitioner(s)

VERSUS

THOMAS C.M.& ANR.

Respondent(s)

(With appln. for exemption from surrendering)

Date: 05/07/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE P. SATHASIVAM
(In Chambers)

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

For Respondent(s) Mr.Ramesh Babu M.R., Adv.
 Mr.Jayanth Muth Raj, Adv.

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

Heard learned counsel for the petitioner as
well as for respondent No.1 who is the complainant.

The petitioner has filed an application for
compounding the offence under Section 147 of the
Negotiable Instruments Act, read with Section 320 of
the Criminal Procedure Code, wherein it is stated that
the petitioner and the respondent No.1/complainant had
amicably settled the disputes out of the Court. In
addition to the same, the respondent/complainant has

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also filed an affidavit reiterating the above stand.
Learned counsel appearing for him also reiterated and
affirmed about the settlement.

Taking note of all these aspects, I am of the
view that the request of the petitioner is acceptable
and the offence committed by him under Section 138 of
the Negotiable Instruments Act, in CC.No.48 of 1999 on
the file of Judicial First Class Magistrate, Court
No.2 Kochi Kerala State, is permitted to be compounded
and the order of conviction and sentence passed
therein is modified.

The special leave petition is disposed of
accordingly.

[Usha Bhardwaj]
Court Master

[Savita Sainani]
Court Master