

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

Cr1.MP NO. 11054/2005 IN

Petition(s) for Special Leave to Appeal (Cr1)... 2005

(From the judgment and order dated 17/10/2002 in CRRP No. 1477/2001 of The HIGH COURT OF KERALA AT ERNAKULAM)

C.C.VENUGOPALAN NAMBIAR

Petitioner(s)

VERSUS

A.K.RAMACHANDRAN NAIR AND ANR.

Respondent(s)

(For c/delay in filing SLP,exemption from surrendering)

Date: 19/10/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. AGRAWAL

HON'BLE MR. JUSTICE A.K. MATHUR

For Petitioner(s)

Mr. K. Rajeev,Adv.

For Respondent(s)

Mr. Deepak Prakash, Adv.

for M/S. T.T.K. Deepak & Co.,Adv.

UPON hearing counsel the Court made the following

O R D E R

Heard Learned counsel for the parties.

Prayer for exemption from surrendering is granted.

Delay condoned.

] Leave granted.

The appeal is allowed, impugned orders are set aside and the

appellant is acquitted of the charge in view of compounding.

[Charanjeet Kaur]

[Om Prakash

Court Master

Court Maste

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 1346 of 2005

(arising out of SLP(CRL.)5143/2005)

(CRL.MP 11054/2005)

C.C. Venugopalan Nambiar

.. Appella

Versus

A.K. Ramachandran Nair and Anr.

.. Respond

O R D E R

Heard learned counsel for the parties.

Prayer for exemption from surrendering is granted.

Delay condoned.

Leave granted.

The sole appellant was convicted by the trial Court under Section 138 of the

Negotiable Instruments Act and sentenced to undergo simple imprisonment for six months. On

appeal being preferred, the Sessions Court confirmed the same. When the matter was taken to

the High Court of Kerala in a revision petition, the conviction and sentence have been

confirmed. Hence, this appeal by special leave.

Respondent No. 1 herein, who is complainant in the case, has filed a caveat.

Offence is compoundable and it has been stated that the parties have compounded the offence

and the complainant has received the amount of cheque i.e. Rs. 50,000/-. In the facts and

circumstances of the case, we permit the parties to compound the offence.

..2/-

Accordingly, the appeal is allowed, impugned orders are set aside and the

appellant is acquitted of the charge in view of compounding.

J[B.N. AGRAWAL]

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J [A.K. MATHUR]

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NEW DELHI,

OCTOBER 19,2005.