

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

RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl) No(s).5869/2004

(From the judgement and order dated 09/07/2004 in CRR No. 1348/2003 of The HIGH COURT OF
A.P AT HYDERABAD)

K. GYANSAGAR

Petitioner(s)

VERSUS

GANESH GUPTA & ANR.

Respondent(s)

(With appln(s) for bail & permission to compound the offence)

Date: 11/07/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.P. SINGH

HON'BLE MR. JUSTICE S.H. KAPADIA

For Petitioner(s)

Mr. Subramonium Prasad,Adv.

For Respondent(s)

M/s Dhruv Mehta, Mohit Chaudhary, Harshvardhan Jha, Advs.

For M/S K.L. Mehta & Co.

UPON hearing counsel the Court made the following

O R D E R

Leave granted.

The appeal is allowed in terms of the signed order.

[Naresh Kumar]
wan]
Court Master

[Vijay Dha
Court Master

[Signed order is placed on the file.]

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 806 OF 2005

(Arising out of SLP(CR) No.5869 of 2004)

K. GYANSAGAR
... Appellant

Vs.

GANESH GUPTA & ANR.
... Respondents

O_R_D_E_R

Leave granted.

The accused and the complainant are represented through their counsel. A joint application has been filed for compounding the offence under Section 147 of the Negotiable Instruments Act. In the application it is stated that the amount due has been paid. Necessary figures are disclosed in paragraph 10 of the application for compounding the offence. The application is supported by affidavits of the accused as

well as the complainant. Having regard to the facts and circumstances of the case we are of the view that the parties should be permitted to compound the offence since the

parties state that nothing is outstanding from the appellant since the amount due has been paid in full.

We, therefore, permit the parties to compound the offence, and set aside the conviction and sentence of the appellant. The appeal is allowed.

.....J.

(B.P. SIN

GH)

.....J

(S.H. KAPA

DIA)

New Delhi,

11th July, 2005.