

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.(S) 1350 OF 2017
[Arising out of Special Leave Petition
(Criminal) No.5267 of 2013]

T. GUNASHEKAR . . . APPELLANT(S)

VERSUS

COMPUAGE INFOCOM LTD. . . . RESPONDENT(S)

ORDER

1. Leave granted.
2. We have heard the learned counsels for the parties.
3. Limited notice was issued in the present appeal by this Court on 19th July, 2013 in the following terms:

"It is stated by the learned counsel for the petitioner that the respondent has already received Rs.7.10 lakhs and the said amount needs to be adjusted against the total fine amount of Rs.7.70 lakhs.

Issue notice on this limited question.

In the meanwhile, the sentence shall remain stayed."

4. Counter affidavit filed on behalf of the respondent dated 4th August, 2017 has been duly perused. In paragraph 1(iv) of the said counter affidavit the respondent admits receipt of two amounts i.e. Rs.1,65,000/- (Rupees One lakh Sixty Five thousand) and Rs.2,20,000/- (Rupees Two lakh Twenty thousand) totalling Rs.3,85,000/- (Rupees Three lakh Eighty Five thousand).

5. In view of the above, the present appeal is disposed of by directing adjustment of the amount of Rs.3,85,000/- (Rupees Three lakh Eighty Five thousand) received by the respondent from the fine amount of Rs.7,70,000/- (Rupees Seven lakh Seventy thousand). The balance amount of Rs.3,85,000/- (Rupees Three lakh Eighty

Five thousand) shall now be paid to the respondent within eight weeks from today.

6. The order of the High Court is modified to the above extent and the appeal is disposed of accordingly.

.....,J.
(RANJAN GOGOI)

.....,J.
(NAVIN SINHA)

NEW DELHI
AUGUST 08, 2017

ITEM NO.46

COURT NO.4

SECTION II-C

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

PETITION(S) FOR SPECIAL LEAVE TO APPEAL (CRL.) NO(S). 5267/2013
(ARISING OUT OF IMPUGNED FINAL JUDGMENT AND ORDER DATED 11-03-2013
IN CRLRP NO. 1043/2011 PASSED BY THE HIGH COURT OF KARNATAKA AT
BANGALORE)

T. GUNASHEKAR

PETITIONER(S)

VERSUS

COMPUAGE INFOCOM LTD

RESPONDENT(S)

Date : 08-08-2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE RANJAN GOGOI

HON'BLE MR. JUSTICE NAVIN SINHA

For Petitioner(s)

Mr. Ashwani Kumar Dubey, AOR
Mr. Vishal Vishwadheesh, Adv.

For Respondent(s)

Mr. T. V. George, AOR
Mr. Debashish, Adv.

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

Leave granted.

The appeal is disposed of in terms of the signed
order.

[VINOD LAKHINA]

AR-cum-PS

[ASHA SONI]

BRANCH OFFICER

[SIGNED ORDER IS PLACED ON THE FILE]