

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

RECORD OF PROCEEDINGS

CRLMP 12196-12197/2004 In

Petition(s) for Special Leave to Appeal (Crl).../2005

(From the judgment and order dated 14/07/1999 in CRL Revision Petition No. 1037/94 and against the final judgment and order in Crl.M.A. unnumbered/2003 dated 25.6.2003 in Crl.R.P. 1037/94 of HIGH COURT OF KERALA AT ERNAKULAM)

C.V. JOSE

Petitioner(s)

VERSUS

STATE OF KERALA & ANR.

Respondent(s)

(For exemption from surrendering and c/delay in filing SLP and c/delay in refiling SLP and office report)

Date: 21/02/2005 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. AGRAWAL

HON'BLE MR. JUSTICE P.K. BALASUBRAMANYAN

For Petitioner(s)

Mr. R. Sathish, Adv.

For Respondent(s)

Mr. P Sureshan, Adv.

No. 2

Mr. Sudarsh Menon, Adv.

UPON hearing counsel the Court made the following

O R D E R

Heard the parties.

Applications for exemption from surrendering are allowed.

Delay condoned.

Leave granted.

The appeals are allowed, conviction and sentence of the appellant are set aside and he is acquitted of the charge in view of the compromise.

[Charanjeet Kaur] [Om P
rakash] Court Master Court
Master

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRI.MISC.NOS. 12196-12197/2004 IN

CRIMINAL APPEAL NOS. 330-331 OF 2005

(arising out of SLP(CRL.)NOS.1088-1089/2005)

t(s) C.V. Jose .. Appellan
nt(s) State of Kerala & Anr. .. Responde
Versus

O R D E R

Heard the parties.

Applications for exemption from surrendering are allowed.

Delay condoned.

Leave granted.

The trial Court convicted the appellant under Section 138 of the Negotiable

Instruments Act, 1881 and sentenced him to undergo simple imprisonment for a period of one

year which was confirmed in appeal as well as in revision by the High Court.
Hence these

appeals by special leave.

During the pendency of these appeals, petitions have been filed stating the
rein that

the parties have settled up their disputes and grievances. In support of the petitions, both
the

parties have filed their respective affidavits. In the facts and circumstances
of the case, we

permit the parties to compound the offence.

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Accordingly, the appeals are allowed, conviction and sentence of the appell
ant are

set aside and he is acquitted of the charge in view of the compromise.

.....J[B.N. AGRAWAL]

.....J

[P.K.BALASUBRAMANYAN]

NEW DELHI,

FEBRUARY 21,2005.