

ITEM NO.42

COURT NO.10

SECTION II

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).9036/2008

(From the judgement and order dated 06/06/2008 in CRLA No. 229/2005 of The HIGH COURT OF KARNATAKA AT BANGALORE)

T.G.RANGANATH

Petitioner(s)

VERSUS

R.NANJUNDA GOWDA

Respondent(s)

(With appln(s) for stay)

With CRL.M.P. No.3587/2010 (Appln. Under section 147 of Negotiable Instrument Act, 1881, as amended 2002)

Date: 11/02/2010

This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI

HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s)

Mr. S.N. Bhat, Adv.

For Respondent(s)

Mr. Yatish Mohan, Adv.

Mr. E.C. Vidya Sagar, Adv.

Mr. Brahamjeet Misra, Adv.

UPON hearing counsel the Court made the following

## O R D E R

This petition is directed against judgment dated 6.6.2008 of the learned Single Judge of the Karnataka High Court whereby he reversed the acquittal of the petitioner and convicted him for offence punishable under section 138 of the Negotiable Instruments Act, 1881 and sentenced him to undergo simple imprisonment for three months and to pay a fine of Rs.3,50,000/-, in default to undergo simple imprisonment for six months.

During the pendency of the special leave petition, the parties have compromised the matter and they have jointly filed Criminal Miscellaneous

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Petition No.3587 of 2010 for passing appropriate order in terms of section 147 of the Act.

We have gone through the criminal miscellaneous petition, which is supported by the affidavits of the petitioner and the respondent.

Since the petitioner has deposited the amount due to the respondent along with interest, the conviction and sentence imposed upon him are set aside with liberty to the respondent to withdraw the amount deposited by the petitioner.

The special leave petition is disposed of in the manner indicated above.

Court Master

Court Master