

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).8941/2009

(From the judgement and order dated 10/12/2008 in CRLRP No. 403/2008 of The HIGH COURT OF KARNATAKA, CIRCUIT BENCH AT DHARWAD)

RAMESH DHANRAJ SHARMA Petitioner(s)

VERSUS

BHAIRAV HARIKISAN GOUD Respondent(s)

(With appln(s) for stay)

Date: 24/09/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE V.S. SIRPURKAR
HON'BLE MR. JUSTICE CYRIAC JOSEPH

For Petitioner(s) Mr. Girish Ananthurthy, Adv. for
Mrs. Vaijyanthi Girish,Adv.

Petitioner in person
Local counsel Mr. P.H.Madiwader, Adv.

For Respondent(s)

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

Leave granted.
The appeal stands disposed of in terms of signed
order.

(Pardeep Kumar) (Shashi Bala Vij)
Court Master Court Master
[SIGNED ORDER IS PLACED ON THE FILE]
IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 1848 OF 2010
[ARISING OUT OF S.L.P. (CRL.) NO.8941 OF 2009]

RAMESH DHANRAJ SHARMA ...APPELLANT

VERSUS

BHAIRAV HARIKISAN GOUD ...RESPONDENT

O R D E R

- 1. Leave granted.
- 2. Challenge in this appeal is to the order dated 10.12.2008

passed by the High Court of Karnataka, Circuit Bench at Dharwad dismissing the Crl. R.P. No. 403 of 2008 filed by the appellant.

3 The cheque issued by the appellant for the sum of Rs. 60,000/- in favour of the complainant bounced and hence, the appellant was convicted by the trial court for the offence punishable under Section 138 of Negotiable Instruments Act and sentenced him to undergo simple imprisonment for six months and to pay a fine of Rs. 5,000/-.

4. The First Appellate Court modified the sentence of the appellant from six months to two months and directed the appellant to pay a compensation of Rs. 90,000/- to the complainant.

5. It is stated by the learned counsel appearing for the

: 2 :

appellant that the appellant has already made a payment of Rs 90,000/- to the complainant.

6. In that view of the matter, while maintaining the conviction, we modify the sentence of the appellant and sentence him till rising of this Court. The appellant is present in the court today. He has been identified by Mr. P.H. Madiwader, local counsel.

7. The appeal stands disposed of accordingly.

.....J.
[V.S. SIRPURKAR]

.....J.
[CYRIAC JOSEPH]

NEW DELHI
SEPTEMBER 24, 2010.