

SUPREME COURT OF INDIA

P.S.Sasidharan

Vs.

Vijaya Shakar

Crl.Misc.P.No.9385 of 2008

(Tarun Chatterjee and H.L.Dattu,JJ.)

27.02.2008

ORDER

Criminal Misc. Petition No.9386 of 2008 In Criminal Appeal No.429 of 2009 Arising Out of Special Leave Petition (Crl.)No.1680/2006 (Crl.M.P.No.980 of 2006)

1. Leave granted.

2. Heard learned counsel for the parties. Present appeals by special leave have been filed against final judgment and order dated 7.10.2004 of the High Court of Karnataka at Bangalore in Criminal Revision Petition Nos.797 & 798 of 2003, whereby the High Court confirmed the order of conviction for the offence punishable under section 138 of the Negotiable Instruments Act. Now, applications seeking permission to compound the offence under Section 320 of the Code of Criminal Procedure Code have been filed stating inter alia therein that the petitioner and the respondent have compromised the matter and the dispute between the parties in the case has been amicably settled out of Court. It is also submitted before us that the Respondent has also filed an affidavit before this Court stating therein that the compensation and fine have been paid by the petitioner and that the respondent has no objection if this Court permits to compound the said offence. In view of the settlement arrived between the parties and considering the affidavit filed by the Respondent, applications to compound the offence are allowed and the appeals are disposed of accordingly. Interim order, if any, shall stand vacated. The orders passed by the High Court as well of the II Addl. Civil Judge (Jr. Divn.) & JMFC, Mangalore and Frist Addl. Sessions Judge, D.K., Mangalore, Karnataka are hereby set aside.