

# SUPREME COURT OF INDIA

Anil Sachar & Anr.

Vs.

Shree Nath Spinners P.Ltd.

Crl.A.No.1413-1414 of 2011

(Mukundakam Sharma and Anil R.Dave,JJ.,)

17.08.2011

## ORDER

1. We have heard the learned counsel appearing for the parties on the question of sentence. Having gone through the records, we find that Mr. Munish Jain, against whom the notice was issued on the question of sentence has died. Accordingly, so far he is concerned, the matter stands abated.

2. There is yet one more accused in the case, apart from the company, who was also impleaded as a party in the present proceedings. The said Director of the company is Mr. Varun Jain. We have heard the learned counsel appearing for the parties on the question of sentence. Considering the provisions of Section 138 of the Negotiable Instruments Act, we consider that imposition of fine of an amount of Rs. 10,00,000/- (Rupees ten lacs only) would meet the ends of justice in the present case. Considering the facts and circumstances of the case, we, therefore, impose a fine of Rs. 10,00,000/- (Rupees ten lacs only) on the respondent payable to the appellants/complainants by way of compensation.

3. At this stage, the counsel appearing for the respondent has handed over drafts amounting to Rs. 10,00,000/-, payable to the appellants/complainants, to the counsel appearing for the appellants/complainants, who receives the said amount which is imposed as fine and payable to the appellants. Fine having been paid and received brings the litigation to an end.

In that view of the matter, nothing further survives in these appeals, which stand disposed of.