

SUPREME COURT OF INDIA

G. Ravi

Vs.

State of Karnataka

CrI.A.No.1411 of 2017

(Kurian Joseph and R.Banumathi,JJ.,)

16.08.2017

JUDGMENT

Kurian Joseph,J.,

SLP(CrI.)No.1101 of 2017

1. Leave granted.

2. The appellant is before this Court aggrieved by the order dated 27.10.2016 passed by the High Court, wherein the High Court declined to quash the proceedings instituted against the appellant under Section 420 I.P.C., pending before the Judicial Magistrate First Class at Saundatti.

3. We are happy to note that the parties have decided to purchase peace, without prejudice to the legal contentions available to them. Accordingly, this Court on 31.07.2017 passed the following order:-

"Mr. K. V. Vishwanathan, learned senior counsel appearing for the petitioner, submits that despite the strong legal position in his favour, the petitioner is interested in settling the dispute without prejudice to the Reason: '-J contentions, by paying Rs. 3,50,000/- (Rupees Three Lakhs and Fifty Thousand) to the respondent(s) within two weeks, to which the respondent(s) has agreed. Post on 16.08.2017."

4. Today, Mr. K.V. Vishwanathan, learned senior counsel, has handed over two demand drafts for the said sum of Rs.3,50,000/- (Rupees Three Lakhs and Fifty Thousand), which has been duly acknowledged by the learned counsel appearing for Respondent No.2.

5. Since it is a matter essentially arising under Section 138 of the Negotiable Instruments Act, we are of the view that in the interest of justice and for securing ends of justice, the disputes are also given a quietus.

6. Accordingly, complaint under C.C. No.487 of 2015 pending before the Judicial Magistrate, First Class, at Saundatti stands quashed.

7. We are informed that another case between the parties in respect of essentially the same subject matter instituted by one Mr. Mahadevappa is pending before the Judicial Magistrate First Class, Mysore, in which the Respondent No.2 is one of the accused.

8. Since, the basic disputes have been settled between the parties amicably, it will be open to Respondent No.2 to bring it to the notice of appropriate Forum at the appropriate stage, so that there may not be any requirement for the criminal proceedings to continue in case the Court is so satisfied.

9. The appeal is disposed of, as above.

10. Pending application(s), if any, shall stand disposed of.