

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 for Special Leave to Appeal (Crl.) No. 6493/2020

(Arising out of impugned final judgment and order dated 15-04-2019 in CRLREV No. 128/2018 passed by the High Court of Orissa at Cuttack)

SAYED NOORUL HODA

Petitioner(s)

VERSUS

HAREKRUSHNA PANDA

Respondent(s)

(FOR ADMISSION and I.R.)

Date : 25-10-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R. SUBHASH REDDY
HON'BLE MR. JUSTICE HRISHIKESH ROYFor Petitioner(s) Dr. Nirmal Chopra, AOR
Mr. Manav, Adv.

For Respondent(s)

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

The special leave petition is directed against the judgment and order dated 15.4.2019 passed in Crl. Rev. No.128/2018 passed by the High Court of Orissa at Cuttack. By the aforesaid order while confirming the conviction of the respondent-accused under Section 138 of Negotiable Instruments Act, the High Court has modified the sentence of one year and reduced it to six months and also directed to pay compensation of Rs. 3.20 lakhs.

This Court vide Order dated 23rd August, 2021 granted exemption from surrendering of the petitioner subject to depositing a sum of

Rs.1 lakh before the Registry of this Court.

Today when the matter is called learned counsel for the petitioner has submitted that the sole petitioner has died after filing of the special leave petition on 11.4.2021 and a certificate of death issued by Bhadrak Municipal Council is also placed on record.

In view of the demise of the sole petitioner, the special leave petition is dismissed as abated.

However, we permit the respondent/complainant to withdraw the deposited amount of Rs.1 lakh alongwith the accrued interest, if any, without furnishing any security.

The special leave petition is disposed of with directions as indicated above.

Pending applications, if any, shall stand disposed of.

(NEETA SAPRA)
COURT MASTER

(DIPTI KHURANA)
COURT MASTER