

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO.811 OF 2020
(Arising out of SLP(CrI.) No.7797 of 2019)

GOTILAL DALCHAND JAINAPPELLANT(S)
VERSUS
THE STATE OF MAHARASHTRA & ANR. . . .RESPONDENT(S)

O R D E R

Leave granted.

The appellant has preferred this appeal against the impugned judgment and order dated 18.07.2019 passed by the Bombay High Court in Criminal Revision Application No.370/2002 wherein the High Court has confirmed the conviction of the appellant under section 411 of the Indian Penal Code and order of sentence by which the appellant was sentenced to suffer rigorous imprisonment for a period of one year and fine with default clause.

Learned counsel appearing for the parties submit that the matter has been settled amicably between the parties. A joint application being I.A. No.127721/2019 to compromise/compound the offence under section 320 of the Code of Criminal Procedure (for short, the 'Cr.P.C.') has been filed by the parties.

Having regard to the facts and circumstances of the case, we see no reason to refuse permission to the parties who have compromised the offence which was

compoundable under the Cr.P.C.

Order accordingly.

we allow the joint application being I.A. No.127721/2019 for compounding of the offence as also the appeal, by holding that since the matter has been compounded by compromise between the parties and there is no illegality therein, the appellant is entitled to acquittal. Hence, the orders of conviction and sentence recorded by the courts below are hereby set aside and the appellant is ordered to be acquitted of the charges levelled against him.

.....CJI
[S. A. BOBDE]

.....J
[A.S. BOPANNA]

.....J
[V. RAMASUBRAMANIAN]

NEW DELHI;
NOVEMBER 24, 2020.

