

It appears that the complainant was not interested to go ahead with litigation any more and invoking the provision of plea bargaining under Section 265B of the Code of Criminal Procedure, stated that if a sum of Rs.2.25 Lakhs is paid by the accused to the complainant on or before 30.06.2015, he may not like to proceed with the complaint any further and since that was agreeable to the petitioner as being reflected from Paragraph 5, the complaint was disposed of in the above terms by the Ld.Trial Judge by an order dated 19.01.2015.

The matter travelled further before the High Court and since the petitioner failed to make compliance of making payment of Rs.2.25 Lakhs in terms of the order of the Ld.Trial Court and noticed by the High Court in the order impugned as well dated 15.11.2019, the petitioner travelled to this Court with the same grievance showing his inability to make payment in terms of the judgment of Ld. Trial Judge dated 19.01.2015.

This Court has shown indulgence at one stage to make compliance by an order dated 17.01.2020, followed with the undertaking furnished by him on 29.01.2020. Almost two years have rolled by this time, still the compliance has not been made and he is unable to deposit a sum of Rs. 2.25 Lakhs despite undertaking furnished to this Court.

Learned Counsel submits that because of his financial distress he was not in a position to comply with the order, seeking further reasonable time to comply with the order of this Court.

We are not inclined to grant any further indulgence to the petitioner in the facts of the present case referred to.

Consequently, the Special Leave Petition is devoid of any substance and is dismissed.

The money which has been deposited in the Registry of this Court shall be made over to the concerned Trial Court for making payment to the complainant.

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

(POOJA SHARMA)
COURT MASTER (SH)

(BEENA JOLLY)
COURT MASTER (NSH)