

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.618 OF 2020
(Arising out of SLP(Criminal) No.1694 of 2018)

SRINATH RAJAM

APPELLANT(S)

VERSUS

KRISHNA KUMAR SOOD

RESPONDENT(S)

O R D E R

Leave granted.

Heard learned counsel for the parties.

This appeal has been filed against the judgment of the High Court dated 22.12.2017 in CrI.M.P. No.14262/17 by which Registrar General is directed to make a complaint before the competent Court for the offences under Sections 191, 192, 193, 196, 199, 200, 463, 464, 465, 469, 470 and 471 IPC, as contemplated under Section 340 Cr.P.C.

Learned counsel for the parties submit that both the parties have entered into a settlement, since the dispute is of civil nature. Learned counsel for the appellant, however, submits that direction of the High Court dated 22.12.2017, to lodge a complaint, deserves to be set aside. In view of the law laid down by this Court in Iqbal Singh Marwah and another vs. Meenakshi Marwah and another [(2005) 4 SCC 370] which judgment has

also been subsequently followed in Senior Manager (P&D), RIICO Ltd. vs State Of Rajasthan and another [(2018) 1 SCC 79].

In above view of the matter as the parties have entered into a settlement and the facts in the present appeal is fully covered by the judgment of Iqbal Singh Marwah (supra), direction issued by the High Court in paragraph 34 deserves to be set aside. We order accordingly.

The appeal is allowed.

.....J.
(ASHOK BHUSHAN)

.....J.
(R. SUBHASH REDDY)

.....J.
(M.R. SHAH)

New Delhi;
September 21, 2020

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(s) for Special Leave to Appeal (Crl.) No(s).1694/2018

(Arising out of impugned final judgment and order dated 22-12-2017 in CRLMP No.14262/2017 passed by the High Court Of Judicature At Madras)

SRINATH RAJAM

Petitioner(s)

VERSUS

KRISHNA KUMAR SOOD

Respondent(s)

(IA No.76578/2020 - APPLICATION FOR SETTLEMENT)

Date : 21-09-2020 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ASHOK BHUSHAN
HON'BLE MR. JUSTICE R. SUBHASH REDDY
HON'BLE MR. JUSTICE M.R. SHAH

For Petitioner(s)

Mr. Senthil Jagadeesan, AOR
Mr. A. Sasidharan, Adv.
Ms. Suriti Chowdhary, Adv.
Ms. Mrinal Kanwar, Adv.
Ms. Sonakshi Malhan, Adv.

For Respondent(s)

Mr. K.S. Mahadevan, Adv.
Mr. Ankit Gusain, Adv.
Ms. Swati Bansal, Adv.
Mr. Rajesh Kumar, AOR

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

Leave granted.

The appeal is allowed in terms of the signed order.

Pending application(s), if any, stands disposed of.

(ARJUN BISHT)
COURT MASTER (SH)

(VIDYA NEGI)
COURT MASTER (NSH)

(signed order is placed on the file)