

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.409 OF 2020
(Arising out of Special Leave Petition (CRL.)No.2302/2020)

R GURUSAMY Appellant(s)

VERSUS

R GOVINDASAMY Respondent(s)

O R D E R

Leave granted.

The appellant is an accused in a complaint filed under Section 138 of the Negotiable Instruments Act, 1881. He was acquitted by the Trial Court. The acquittal was reversed by the Appellate Court which convicted and sentenced him to imprisonment for six months apart from a direction to the appellant to pay a compensation of Rs.15,00,000/- (Rupees Fifteen lakhs only). The High Court upheld the judgment of the Appellate Court.

We are informed that the parties have reached a settlement which is placed on record.

An application under Section 147 of the Negotiable Instruments Act read with Article 142 of the Constitution of India has been filed in this

appeal for granting permission to compound the offence committed by the appellant.

We are informed by the learned counsel for the appellant that he has already undergone around two months imprisonment and is still in jail.

In view of the settlement arrived at between the parties, we allow the appeal and set aside the order of the High Court.

The appellant is directed to be released forthwith, if not required in any other case.

Pending applications, if any stand disposed of.

.....J
(L.NAGESWARA RAO)

.....J
(S.ABDUL NAZEER)

.....J
(SANJIV KHANNA)

NEW DELHI;
20th March, 2020

ITEM NO.9

COURT NO.3

SECTION II-C

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 (Cr1.) No(s).2302/2020

(Arising out of impugned final judgment and order dated 14-03-2019 in CRLA No. 722/2018 passed by the High Court Of Judicature At Madras)

R GURUSAMY

Petitioner(s)

VERSUS

R GOVINDASAMY

Respondent(s)

(FOR ADMISSION and I.R. and IA No.46720/2020-EXEMPTION FROM FILING O.T. and IA No.46721/2020-PERMISSION TO COMPOUND THE OFFENCE and IA No.46716/2020-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 20-03-2020 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE L. NAGESWARA RAO
HON'BLE MR. JUSTICE S. ABDUL NAZEER
HON'BLE MR. JUSTICE SANJIV KHANNA

For Petitioner(s) Mr. M.F.Philip, Adv.
Ms. Purnima Krishna, AOR

For Respondent(s) Mr. A. Karthik, 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 applications, if any stand
disposed of.

(B.Parvathi)
Court Master

(Anand Prakash)
Court Master

(Signed order is placed on the file)