

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO.1968 OF 2008
(Arising out of S.L.P. (Crl.) No.8786 of 2008)
(CrI.M.P. No.19463/2008)

Suryakant Johari

...Petitioner(s)

Versus

Madanlal Chhaganlal

...Respondent(s)

O R D E R

Delay condoned.

Leave granted.

Heard learned counsel appearing on behalf of the parties.

The sole appellant was convicted by the Trial Court under Section 138 of the Negotiable Instruments Act, 1881, and sentenced to undergo simple imprisonment for a period of three months and to pay fine of Rupee five thousand; in default, to undergo further imprisonment for a period of three months. Further direction was given for payment of compensation to the tune of Rs.1,83,229/- to the complainant. The said order was confirmed in appeal and the High Court dismissed the revision application against the appellate order. Hence, this appeal by special leave.

...2/-

Today, both the parties have filed a joint petition of compromise. Let the same be taken on record. We find compromise is lawful and permission is granted to the parties to compound the offence.

Accordingly, the appeal is allowed, conviction and sentence of the appellant is set aside in terms of the compromise.

[B.N. AGRAWAL]

.....J.

[G.S. SINGHVI]

.....J.

New Delhi,
December 04, 2008.