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Crl.M.P.No.6811 & 6812 of 2023
in
Crl.R.C.No.1322 & 1323 of 2017

SUNDER MOHAN, J.

This Court, by order dated 14.03.2023 directed the petitioners to deposit the fine amount of Rs.15,00,000/- before the Trial Court on or before 24.04.2023. This Court further directed that on such deposit, the respondent has to file an appropriate memo before the Trial Court and the Trial Court shall permit the respondent to withdraw the sum of Rs.15,00,000/-.

2.The relevant portion of the said order dated 14.03.2023 reads as follows:-

“(a) The sentence is modified and the petitioners are directed to deposit the fine amount of Rs.15,00,000/- (Rupees Fifteen Lakhs only) before the Trial Court on or before 24.04.2023 and in default, the second petitioner shall undergo one year simple imprisonment.

(b) The fine amount deposited by the petitioners before the Trial Court shall be paid as compensation to the Respondent under Section 357(1) of Cr.P.C. Hence, after the deposit of the fine amount, it is left open to the Respondent to



file an appropriate memo before the Trial Court and the Trial Court shall permit the Respondent to withdraw the sum of Rs.15,00,000/- (Rupees Fifteen Lakhs only) deposited by the petitioners.

(c) If the petitioners deposit the fine amount as directed in clause (a) within the time stipulated, the offence shall stand compounded and the judgment and order passed by the Trial Court and as confirmed by the Appellate Court shall automatically stand set aside, and

(d) If the petitioners fail to comply with direction (a), the second petitioner shall undergo the default sentence and the same shall be ensured by the Trial Court.”

3. However, the learned counsel appearing for the petitioners would submit that the demand drafts were inadvertently taken in the name of the respondent and not deposited before the Trial Court. Hence, the Trial Court returned the Demand Drafts along with the petition. He would further submit that since the time granted by this Court has expired, the petitioners seek for extension of time to present the rectified demand draft before the Trial Court.



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4. In view of the same, this Court is inclined to extend the time limit till 05.06.2023 to deposit the amount before the Trial Court. Accordingly, these petitions are ordered.

5. Post the matter 'for reporting compliance' on 05.06.2023.

10.05.2023

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10.05.2023