

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 844 OF 2018
[@ SPECIAL LEAVE PETITION (CRL.) NO. 3630 OF 2018]

RAJ SHARMA @ RAJ KUMAR SHARMA

Appellant(s)

VERSUS

THE STATE OF UTTAR PRADESH & ORS.

Respondent(s)

J U D G M E N T

KURIAN, J.

1. Leave granted.

2. The Appellant is before this Court, aggrieved by the impugned order passed by the High Court, whereby his prayer for intervention under Section 482 Cr.P.C. has been declined.

3. Criminal proceedings have been initiated against the Appellant under Section 406 read with Section 420 IPC. When the matter came up before this Court, we directed the Appellant to deposit Rs. 1,50,000/- (Rupees One Lakh and Fifty Thousand), which is little more than the amount involved in the alleged transaction. That amount has been deposited.

4. The learned counsel appearing for the de-facto complainant submits that the amount may be directed to be released to him. It is also submitted that since he is getting his money, he has no intention to proceed with the prosecution.

5. The learned counsel appearing for the State points out that the offences are compoundable with permission of the court. In the above circumstances, the appeal is disposed of with the following directions :-

(a) The amount of Rs. 1,50,000/- (Rupees One Lakh and Fifty Thousand) deposited by the Appellant shall be released in favour of Respondent No. 4.

(b) The Appellant is permitted to move the trial court for compounding the offence and Respondent No.4 shall cooperate in the process.

6. Taking note of the fact that the parties have purchased peace, we direct the trial court to pass appropriate orders in the interest of justice. All the coercive steps taken against the appellant, including freezing of the account, shall stand withdrawn.

.....J.
[KURIAN JOSEPH]

.....J.
[SANJAY KISHAN KAUL]

New Delhi;
July 09, 2018.