

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
BENCH AT AURANGABAD.**

CRIMINAL REVISION APPLICATION NO. 216 OF 2015

Santosh Laxman More,
Age : 40 years, Occu. Business,
R/o. 18/2/9, Samarth Kripa Niwas,
Anand Nagar, Sinhgad Road,
Hingne (Kh), Pune.

... Applicant

VERSUS

Dhanraj Walji Patil & Anr.

... Respondent

.....
Mr N. L. Chaudhari, Advocate for the applicant
Mrs M. A. Deshpande, APP for respondent/State.
.....

CORAM : **INDIRA K. JAIN, J.**
DATE : **1ST DECEMBER, 2015.**

PER COURT:

. Applicant was convicted in S.T.C.C. No. 5189 of 2003 by the learned Judge, Evening Court, Dhule for the offences punishable under Section 138 of the Negotiable Instruments Act and sentenced him to undergo simple imprisonment for one month and to pay compensation of Rs. 40,000/-.

2. Being aggrieved by the judgment and order of conviction and sentence passed by the trial Court, applicant preferred Criminal Appeal No. 97 of 2011. It was dismissed by the learned Additional

Sessions Judge, Dhule vide order dt. 23.11.2015. Hence this revision application.

3. It is submitted by the applicant that he has paid the entire compensation to complainant / respondent No. 1. Parties have amicably settled the dispute with a view to maintain cordial relations. In this premise applicant prays to quash and set aside the impugned Judgments and Orders.

4. Respondent No. 1 is present in-person. He is identified by his counsel. Complainant has filed affidavit-in-reply. He confirms receipt of compensation of Rs. 40,000/- and submits that they have compromised the matter. Complainant has no grudge against the applicant.

5. In the light of the above and considering the nature of offence this Court is inclined to accept the compounding of offence. Accordingly the following order.

ORDER

- (i) Criminal Revision Application No. 216 of 2015 is allowed in terms of prayer clause '(B)'.

- (ii) Applicant is acquitted of the offence punishable under Section 138 of the Negotiable Instruments Act.
- (iii) He shall be released forthwith if not required in any other case.

[INDIRA K. JAIN, J.]

sgp