

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

CRIMINAL APPLICATION NO. 6845 OF 2015

Bhushan Liladhar Nemade **APPLICANT**

V E R S U S

The State of Maharashtra **RESPONDENT**

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Mr. A.B.Kadethankar, Advocate for Applicant.

Mr. S.N.Morampalle, A.P.P. for Resp. - State.

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CORAM : INDIRA K. JAIN, J.

DATE : 18th DECEMBER, 2015

ORAL ORDER :-

. This is an application for compounding offence punishable u/s 138 of the Negotiable Instruments Act.

2. Applicant Bhushan Liladhar Nemade was convicted for the said offence by learned Judicial Magistrate First Class Court No. 2, Ahmednagar and sentenced to suffer simple imprisonment for one month and pay compensation of Rs. 20,000/-.

3. Being aggrieved by the Judgment and order of conviction and sentence, Criminal Appeal No. 132/2010 was preferred before the Sessions Court. The

learned Sessions Judge, Ahmednagar dismissed the said Appeal vide order dated 12/10/2015. Both the Judgments and orders have been carried before this Court in Criminal Revision Application No. 235 of 2015.

4. This is a joint application by complainant and accused. They have settled the dispute. Complainant has received the amount of compensation and he has no grievance against the accused. To maintain good relations, they have arrived at settlement.

5. Considering the nature of offence, compensation awarded by the trial Court and reasons assigned for compounding, application deserves to be allowed. Hence, the following order.

ORDER

- (i) Criminal Application No. 6845 of 2015 is allowed in terms of prayer clauses 'C' and 'D'.
- (ii) Accused Bhushan Liladhar Nemade is acquitted of the offence punishable u/s 138 of the Negotiable Instruments Act.
- (iii) He is set at liberty forthwith if not required in any other case.

**[INDIRA K. JAIN]
JUDGE**

7. In the light of disposal of Criminal Application No. 6845 of 2015, Criminal Revision Application No. 235 of 2015 serves its purpose hence disposed of.