

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL REVISION APPLICATION NO.201 OF 2015

Mr. Mohanrao B. Patil ..Applicant
Versus
M/s L & T Finance Ltd.
and another. ..Respondents

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Mr. Rohan H. Barge, Advocate for the applicant.
Mr. Anand Poojari i/b. S.I. Joshi & Co. for Respondent No.1.
Mr. V.B. Konde Deshmukh, APP, for the State.

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CORAM : M. L. TAHALIYANI, J.

DATE : 22nd APRIL, 2015

P.C.

1. This Revision Application impugns the order passed by the learned Additional Sessions Judge dismissing the Criminal Appeal No.355 of 2011 which impugned the order passed by the Metropolitan Magistrate, 58th Court, Bandra, Mumbai in Criminal Case No.4768/SS/2009.

2. The applicant has been convicted for the offence punishable under Section 138 of Negotiable Instruments Act and has been sentenced to suffer S.I. for 45 days and to pay compensation of Rs.70,000/- to the respondent No.1 (original complainant).

3. During pendency of the present Revision Application, the dispute has been resolved amicably by the applicant and the respondent No.1. Learned Counsel for respondent No.1 has submitted that the respondent No.1 has received the amount from the applicant and he has no grievance against the applicant. The respondent No.1 is ready to compound the offence.

4. In view of the submissions made by learned Counsel for the applicant and respondent No.1, I hereby direct that the offence punishable under Section 138 of Negotiable Instruments Act shall stand compounded. The applicant shall stand acquitted of the offence punishable under Section 138 of Negotiable Instruments Act. His bail bonds, if any, shall stand cancelled. The amount of Rs.15,000/- deposited by the applicant in the Court of trial Magistrate shall be refunded to him immediately. The consent terms filed by the learned Counsel for the parties shall be taken on record and shall be marked as Exhibit "A" for identification. Criminal Revision Application stands disposed of accordingly.

5. Learned trial Magistrate to act upon an authenticated copy of this order.

JUDGE