

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL REVISION APPLICATION NO.130 OF 2015

Vijay Jaggannath Shinde ..Applicant
Versus
The State of Maharashtra
and another. ..Respondents

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Mr. Niranjan S. Mundargi, Advocate for the Applicant.
Smt. P.P. Bhosale, APP, for the Respondent – State.
Mr. Vijay J. Shinde, Applicant present in-person.
Mr. Mahesh V. Lakal, Respondent No.2 present in-person.

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CORAM : M. L. TAHALIYANI, J.

DATE : 22nd APRIL, 2015

P.C.

1. Heard learned Counsel Mr. Niranjan Mundargi for the applicant. Also heard the respondent No.2/original complainant who is present in Court.
2. The applicant has been convicted for the offence punishable under Section 138 of Negotiable Instruments Act and is sentenced to suffer S.I. for three months and to pay fine of Rs.16,000/-. It was directed that an amount of Rs.15,000/- be paid to the respondent No.2 (original complainant) if the fine is recovered from the applicant. The appeal filed by the applicant has been dismissed. Therefore, the applicant has filed the present Revision Application.

3. During the hearing of Revision Application it is brought to my notice that the applicant has deposited Rs.16,000/- in the Court of J.M.F.C.. Learned Counsel Mr. Niranjana Mundargi for the applicant has submitted that the applicant has deposited additional amount of Rs.5,000/- in the same Court on 21st April, 2015.

4. The applicant (accused) and the respondent No.2 (complainant) are present in Court. It is submitted by respondent No.2 that he has compounded the offence with the applicant. The respondent No.2 is satisfied if an amount of Rs.20,000/- is paid to him.

5. It is, therefore, directed that the offence punishable Section 138 of Negotiable Instruments Act shall stand compounded. The applicant shall stand acquitted of the said offence. An amount of Rs.20,000/- shall be to the respondent No.2 by the trial Court out of amount of Rs.21,000/- deposited by the applicant. The balance amount of Rs.1,000/- be refunded to the applicant.

6. Criminal Revision Application stands disposed of accordingly. The learned Magistrate shall ensure that the amount directed to be paid to respondent No.2 is paid at the earliest possible day.

7. The learned Magistrate and the parties to act upon an authenticated copy of this order.

JUDGE