

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRI. WRIT PETITION NO. 2991 OF 2014

Nazim Siraj Rakhange

... Petitioner.

V/s.

M/s. Kokan Mercantile Co-operative
Bank Ltd., & Anr.

... Respondents.

Mr. Sandeep Dere, Advocate for the Petitioner.

Mr. Vikas K. Singh i/by Lambay & Co. for Respondent No.1.

Mr. V.B.Konde-Deshmukh, APP for the State-Respondent No.2.

Mr. Ismail Kasu, Officer of M/s. Kokan Mercantile Co-operative
Bank Ltd./ Respondent No.1 is present.

**CORAM : M.L.TAHALIYANI,J.
DATE : 30 JANUARY, 2015**

P.C. :

1 Heard.

2 Mr. Ismail Kasu, the officer of Respondent No.1-
M/s. Kokan Mercantile Co-operative Bank Ltd., is present. The
parties and their respective lawyers are also present.

3 Perused the order dated 22nd December, 2014
passed by this court. It appears that pursuant of the said order,
the petitioner and respondent no.1 have amicably settled the
dispute. The petitioner has already deposited Rs.85,000/- in

the trial court. The petitioner has also paid Rs.45,000/- to the officer of Respondent No.1 today. Respondent No.1 and his Advocate has no objection if the offence is declared to be compounded.

4 In view of the above, I pass the following order :

- i. The offence punishable under section 138 of the Negotiable Instruments Act, for which the Petitioner has been convicted, stands compounded.
- ii. The Petitioner is hereby acquitted of the offence punishable under section 138 of the Negotiable Instruments Act.
- iii. His bail bond stands cancelled.

5 The amount deposited by the Petitioner in the trial court shall be paid to the authorized officer of M/s. Kokan Mercantile Co-operative Bank Ltd., as early as possible.

6 The writ petition is disposed of accordingly.

7 Learned trial court shall act on an authenticated copy of this order. Registry to issue authenticated copy of this order.

(JUDGE)