

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

CRIMINAL APPEAL NO. 773 OF 2015

Nanikram U. Talreja

.. Appellant

v/s.

Shri Laxman P. Jagwani
& Ors.

..Respondents

Mr. Sunil Kumar Gawada for the Appellant.
Mr.J.S.Chandnani, for the Respondent.
Mrs. R.V. Newton, APP for the State.

**CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATED : OCTOBER 30, 2015.**

P.C.

1. The appellant herein was complainant in C.C.No. 6960 of 2012 , filed before the Judicial Magistrate, First Class, Ulhasnagar, under Section 138 of Negotiable Instruments Act. Aggrieved by the said order, the appellant herein has sought leave to appeal, which was granted vide order dated 8.7.2015.

2. During pendency of the appeal, the parties have arrived at amicable settlement. They have placed on record consent terms as

under:

1. That the Respondent No.1 hereby undertakes to pay a lump sum amount of Rs.60,000/- in twelve instalments of Rs.5,000/- each without fail on or before 5th of every month starting from November 2015 till October 2016 in full and final settlement of the claim of the Appellant against the respondent no.1.
 2. That the Appellant has accepted the request of the Respondent No.1 for withdrawing the aforesaid appeal and accordingly withdraws the above appeal.
 3. That the Appellant shall withdraw the Regular Civil Suit No.91 of 2015 which he has filed in the Court of Civil Judge, Junior Division, Ulhasnagar against the Respondent NO.1 in respect of the very transaction on payment of the entire amount of Rs. 60,000/- as aforesaid.”
3. The consent terms are signed by the applicant as well as the respondent no.1 and their respective counsel. The applicant as well as the respondent no.1 are present before the court. The terms are

explained to the parties and the same are agreeable to them.

4. In view of the settlement arrived between the parties, leave is granted to compound the offence. The proceeding stands closed in view of the settlement.

(ANUJA PRABHUDESSAI, J.)