

Anand

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

REVISION APPLICATION NO.283 OF 2014

M/s. Deep Enterprises & anr. .Applicants

V/s.

M/s. Tit-Bit Foods(India) Pvt. .Respondents
Ltd. & anr.

Mrs.Dhanshree Bankhede i/b. Mr.V.R.Shinde,
Advocate, for the Applicants
Mr.Jagdish Chaudhary i/b. Raj Legal, Advocate,
for the Respondent No.1
Mr.Sainath Totre, Applicant No.2-in-person
present
Mr.Uday S. Todkari, official representative of
the respondent No.1 - Company present

CORAM : SMT.I.K.JAIN, J.

DATE : 10TH FEBRUARY, 2015

P.C.

. Heard both the sides.

2. Appellants were convicted for the
offence punishable under Section 138 of the
Negotiable Instruments Act by the learned
Metropolitan Magistrate, 16th Court, Bellard
Pier, Mumbai vide Judgment and Order dated
19.10.2010. Appellants preferred Cri.Appeal

No.580 of 2010 against the said Judgment and Order of conviction and sentence. The said Appeal was dismissed by the learned Additional Sessions Judge, City Civil Court, Greater Bombay on 21.06.2014. Being aggrieved by the Order, the applicants have preferred the present revision application.

3. Learned counsel for the applicants and respondent No.1 jointly submitted Consent Terms duly signed by the father of applicant No.2 and the official representative of respondent No.1. The Consent Terms were taken on record by the order of this Court passed on 20.10.2014 and marked as "X" for identification. Applicant No.2 is present in person. He agrees to the terms of Consent Terms. The same is taken on record and marked as "X1" for identification.

4. In view of the above, applicants are acquitted of the offence punishable under

Section 138 of the Negotiable Instruments Act.
Bail bonds of applicant No.2/original accused
No.2 stand canceled and he is set at liberty
forthwith.

5. Respondent No.1 is at liberty to
withdraw a sum of Rs.25,400/- deposited by
applicant No.2 with interest, if any accrued
thereon.

6. Criminal Revision Application is
disposed of accordingly.

(SMT.I.K.JAIN, J.)