

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

**CRI. REVISION APPLICATION NO. 294 OF 2014
WITH
CRI. REVISION APPLICATION NOS. 295 OF 2014,
296 OF 2014 AND 297 OF 2014**

Karamshi Khetshi Dedia ... Applicant.

V/s.

The State of Maharashtra & Anr. ... Respondents.

Mr. Sushil Gaglani, Advocate for the Applicant in all Revisions.

Mr. A.R.Patil, APP for the State.

Mr. Jatin P. Shah, Advocate, for Respondent No.2.

CORAM : M.L.TAHALIYANI,J.

DATE : 13th MARCH, 2015

P.C. :

1 These Revision Applications arise out of the orders passed by the Sessions Court, confirming the conviction and sentence of the applicant for the offence punishable under section 138 of the Negotiable Instruments Act. During the pendency of these revision applications, this court was informed that the applicant had deposited Rs. 4,41,500/- in the trial court and that the said amount has been withdrawn by respondent no.2 - Chandrakant Meghji Gala under the orders of this court. During the course of further hearing, this court had suggested that the dispute between the applicant and

respondent no.2 could be resolved if the applicant pays additional amount of Rs. 8,00,000/- to respondent no.2. The applicant agreed to pay the said amount and accordingly he had deposited Rs.8,00,000/- in the office of the Registrar Judicial of this court.

2 In view of the statement made by the learned counsel Mr. Sushil Gaglani on behalf of the Applicant and after hearing the learned counsel Mr. Jatin Shah on behalf of the Respondent No.2, I pass following order.

- i. The offence punishable under section 138 of the Negotiable Instruments Act stands compounded on the offer given by respondent no.2.
- ii. The applicant is acquitted of the offence punishable under section 138 of the Negotiable Instruments Act in the Court Case Nos. 1389/SS of 2009, 1390/SS/of 2009, 1391/SS/of 2009, 1392/SS/of 2009 pending in the court of Metropolitan Magistrate, Vikhroli.
- iii. His bail bonds shall stand canceled. It follows that the order of conviction and sentence passed by the learned Magistrate and confirmed by the Appellate Court is set aside.

iv. The amount deposited by the applicant in this court shall be disbursed to respondent no.2 as early as possible.

3 All these four revision applications stand disposed of accordingly.

(JUDGE)

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