

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

CRIMINAL REVISION APPLICATION NO. 346 OF 2014

Chakaur Singh Niranjn Singh .. Applicant

v/s.

Ashoka Mall Premises
Co-op. Society Ltd. & Ors. ..Respondents

Mr. K.S. Bhatti, POA of the applicant in present
Mr. S.V. Sadavarte for the respondent
Mrs. R.V. Newton, APP for respondent State

**CORAM: SMT. ANUJA PRABHUDESSAI, J.
DATED: 19th OCTOBER, 2015.**

P.C.

1. The applicant herein has challenged the order dated 16.09.2014 whereby the learned Additional Sessions Judge VI, Pune has dismissed the application filed under Section 147 of the NI Act.

2. The applicant herein was the accused in the complaint filed under Section 138 of the N.I. Act. He has been held guilty of offence under Section 138 of the N.I. Act. The applicant has,

therefore, filed an appeal before the learned Sessions Court, Pune. During the pendency of the appeal, the applicant filed an application dated 16.09.2014. Amongst the other prayers, he has sought to permit him to compound the offence. The said application was dismissed by the learned Sessions Judge by the impugned order dated 16.09.2014.

3. The applicant, who is present in person has submitted that it is his right to defend himself in terms of Section 147 of the N.I. Act. The applicant has further raised several issues, which are not germane to the issue involved in the present application.

4. Though the applicant claims that he wants to compound the offence, the application filed by the applicant before the Sessions Court, as well as the grounds raised in the revision application reveal that the applicant has not sought compounding the offence but has infact raised several grounds to challenge the conviction. The learned Sessions Judge was, therefore, justified in dismissing

the application. The appeal is already pending before the learned Sessions Judge hence, contentions / grounds raised by the applicant before this Court cannot be gone into at this stage. The grievance of the applicant however, can be alleviated by directing the appellate Court to dispose of the appeal as expeditiously as possible.

5. Hence, the application is dismissed. The learned Sessions Judge is directed to dispose of the appeal as expeditiously as possible in any event, within a period of 6 months from the date of receipt of this order.

6. Both the parties to appear before the Sessions Court on 2nd November, 2015.

7. Parties to act on an authenticated copy of this order.

(ANUJA PRABHUDESSAI, J.)