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IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CRIMINAL APPELLATE JURISDICTION
CRIMINAL REVISION APPLICATION NO. 510 OF 2011
WITH
CRIMINAL APPLICATION NO. 221 OF 2015
IN
CRIMINAL REVISION APPLICATION NO. 510 OF 2011

Mr. Aziz A. Karim Solanki ... Applicant

Versus

The State of Maharashtra and another ... Respondents

Mr. I.I. Patel for the applicants.

Mr. J.A. Udaipuri i/by M/s. Udaipuri & Co. for respondent no. 2.

Smt. A.A. Mane, A.P.P. for State.

CORAM : M.L. TAHALIYANI, J.
DATED : JUNE 26, 2015

P.C.

Learned counsel for the applicant and respondent no. 2 are present. Learned A.P.P. for the State is also present.

2. The dispute has been resolved amicably out of court. Respondent no.2 has received the whole amount as decided between the parties.

3. The applicant was convicted for the offence punishable under section 138 of the Negotiable Instruments Act by the learned Magistrate, 10th

Court, Andheri and he has been sentenced to suffer R.I. for one year and to pay fine of Rs.10,000/- The cheque amount was of Rs.50 lac. As already stated, respondent no. 2 has received the amount out of court as decided by the parties. The consent terms are taken on record and marked Exh. "A" for the purpose of identification.

4. The applicant had deposited Rs. 2 lac in this court at the time of grant of bail and suspension of sentence. Since respondent no.2 has received the whole amount, the said amount of Rs. 2 lac will have to be refunded to the applicant.

5. The offence punishable under section 138 of Negotiable Instruments Act stands compounded. The applicant stands acquitted of the said offence. The orders passed by the learned Metropolitan Magistrate and Sessions Judge are set aside.

6. The amount of Rs. 2 lac deposited by the applicant in this court shall be refunded to him. His bail bonds, if any shall stand cancelled. Revision application stands disposed of accordingly.

7. In view of the disposal of Revision Application, Application No. 221 of 2015 does not survive and the same is disposed of accordingly.

(JUDGE)