

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
APPELLATE SIDE**

**CRIMINAL REVISION (ST) NO.384 OF 2014**

Mr.Khushal Vallabji Pasad ... **Applicant**

V/s.

Mr.Mahendra V. Savla & Anr. ... **Respondents**

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Mr.Shekhar D. Bhujbal, Advocate for the Applicant.

Mr.Jatin P. Shah, Advocate for the Respondent No.1.

Smt.P.P.Bhosale, APP for the Respondent/State.

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**CORAM : M.L.TAHALIYANI J.**

**DATED : 12TH FEBRUARY, 2015**

**P.C.**

1. This application be registered as the delay has been condoned.

2. Revision arises out of the order passed by the trial Court dismissing the appeal of the applicant filed by him against the order of the Magistrate convicting him for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881.

3. It is submitted by the learned counsel for the applicant that the dispute has been resolved between the applicant and the respondent No.1 amicably. Mr.Jatin Shah, the learned counsel for the respondent No.1 submits that he has no objection, if the present application is disposed of by declaring that the offence is compounded.

4. The settlement is arrived at for Rs.4,00,000/-. Rs.3,10,000/- are paid by the applicant to the respondent No.1. Rs.90,000/- are deposited by the applicant in trial Court i.e. Metropolitan Magistrate, 27<sup>th</sup> Court, Mulund. In view of the amicable settlement, I pass the following order :

- I) The offence stands compounded.
- II) The applicant stands acquitted for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881.
- III) His bail bond, if any, shall stand cancelled.
- IV) The amount of Rs.90,000/- deposited by the applicant in the Court of Metropolitan Magistrate, 27<sup>th</sup> Court, Mulund shall be paid to the respondent No.1, as early as possible on production of authenticated copy of this order.
- V) The application, accordingly, stands disposed of.

**JUDGE**