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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL REVISION APPLICATION NO. 211 OF 2016

Jeevandeep Selection
Through its Proprietor
Kailas s/o Sonalal Jain,
Age: 51 years, Occ: Business,
R/o. Chopda, Dist. Jalgaon. ..APPLICANT

VERSUS

1. Jitendra s/o Tilakchand Kothari,
Age: 51 years, Occ: Business,
R/o. Amalner, Dist. Jalgaon.
2. The State of Maharashtra. ..RESPONDENTS

Mr A.S. Barlota, Advocate for applicant;
Mr V.A. Bagadiya, Advocate for respondent No.1;
Mr K.D. Munde, A.P.P. for respondent No.2

CORAM : N.W. SAMBRE, J.

DATE : 21st OCTOBER, 2016

ORDER :

Not on board. After mentioning, taken on board.

2. Joint request is made by learned Counsel for the applicant-accused and learned Counsel for respondent-complainant that the matter in issue is

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already settled pursuant to the provisions of Section 147 of the Negotiable Instruments Act.

3. Present applicant was convicted for an offence punishable under Section 138 of the Negotiable Instruments Act, by learned Judicial Magistrate, First Class, Amalner on 6th February, 2013 in Summary Criminal Case No. 511 of 2006 and confirmed in appeal being Criminal Appeal No. 6 of 2013 by learned Additional Sessions Judge, Amalner vide judgment and order dated 13th September, 2016.

4. Compromise/affidavit sworn by both the parties is placed on record, wherein it depicts that the complainant has received his amount as was due and payable pursuant to the cheque in question. The complainant has in a categorical terms stated that he has received the amount and settled the matter and prayed for compounding offence pursuant to provisions of Section 147 of the Negotiable Instruments Act.

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5. Perused the contents of the affidavit for settlement/compounding of the offence. Compounding of the offence, as such, is permitted. Criminal Revision Application stands disposed of.

6. The amount deposited in this Court and in Court below is permitted to be withdrawn by respondent-complainant, pursuant to no objection given by the original-accused.

(N.W. SAMBRE, J.)

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