

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL MISC. APPLICATION NO. 62 OF 2016

IN

CRIMINAL REVISION APPLICATION NO. 6 OF 2016

SHRI PURUSHOTTAM B. GAUDE, THR.
HIS NEXT FRIEND MR. MINU GAUDE.

... Applicant

Versus

VPK URBAN CO-OP. CREDIT SOCIETY
LTD., REP. HEREIN BY ITS REC.
OFFICER, MR. BABANI ANANT GAUDE AND
ANR.

... Respondent

Mr. Dharmanand Vernekar, Advocate for the Applicant.
Mr. Jatin Ramaiya, Advocate for the Respondent no. 1.

Coram:- C. V. BHADANG, J.

Date:- 28th April, 2016

P.C.:

Heard learned Counsel for the parties.

2. This application was filed by parties for compounding. The Applicant is convicted under section 138 of the Negotiable Instruments Act and sentenced to suffer Simple Imprisonment for one month and to pay compensation of Rs.35,000/- to the Respondent no.

1. The Applicant had shown willingness to deposit, in addition to the amount of compensation, an amount of Rs.3,500/- to the Goa State Legal Services Authority within a period of one week.

3. The record shows that the cheque of Rs.32,000/- deposited by the Applicant has been returned unrealized for want of funds.

Applicant has also not deposited the amount of Rs.3500/- with the Goa State Legal Services Authority.

4. Learned Counsel for the Applicant submits that the Applicant has not responded and he has no instructions.

5. In such circumstances, Order dated 02.04.2016 is hereby recalled. Criminal Miscellaneous Application No. 62/2016 is hereby dismissed. The learned Judicial Magistrate First Class at Ponda shall cause the Applicant to be apprehended for serving the sentence and shall send a compliance report by 07.06.2016.

C. V. BHADANG, J.

msr