

Anand

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

CRIMINAL REVISION APPLICATION NO.288 OF 2016

Satish Aba Katkar .Applicant

Vs.

Manu L. D'Souza & anr. .Respondents

Mr.B.S.Nayak, Advocate, for the Applicant
Ms Rutuja D. Gurve, Advocate, for the Respondent
No.1
Mrs.P.P.Shinde, APP, for the Respondent No.2 –
State

CORAM : REVATI MOHITE DERE, J.

DATE : 20.06.2016

P.C.

. Mentioned. Not on board. Taken on
board.

2. Heard learned counsel for the Applicant
and the learned counsel for the Respondent No.1.

3. Learned counsel for the Applicant and
the learned counsel for the Respondent No.1
state, that the parties have amicably settled

their dispute and have tendered the Consent Terms entered into by & between the parties. The said Consent Terms are taken on record and marked as "X" for identification. Both, the Applicant and the Respondent No.1 are present in Court today and have been identified by their respective counsels. They have also identified their signatures on the Consent Terms.

4. Learned counsel for the Applicant states that the Applicant has already paid a sum of Rs.2,31,000/- by way of full and final settlement to the Respondent No.1. The same is not disputed by the learned counsel for the Respondent No.1. The Respondent No.1 has no objection for setting aside the impugned Judgment & Orders.

5. In view of the aforesaid, the Application is allowed on the aforesaid terms and the impugned Judgment and Order passed by

the learned Addl. Sessions Judge, Greater Mumbai dated 06.01.2016 in Cri.Appeal No.774 of 2013 and the impugned Judgment and Order passed by the learned Metropolitan Magistrate, 20th Court, Mazgaon, Mumbai dated 03.12.2013 in C.C.No.3887/SS/2009 are quashed & set aside and the Applicant is acquitted of the offence punishable under Section 138 of the Negotiable Instruments Act.

6. Accordingly, the Application is disposed of.

Parties to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)