

Anand

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

**REVISION APPLICATION NO.345 OF 2016
WITH
CRIMINAL APPLICATION NO.346 OF 2016
IN
REVISION APPLICATION NO.345 OF 2016**

1. M/s.Dujodwala Paper Chemicals .Applicants
Limited
2. Vineet Omprakash Dujodwala

Vs.

**The State of Maharashtra .Respondents
& anr.**

Ms A. Fernandes, Advocate, for the Applicants
Mr.P.H.Gaikwad Patil, APP, for the Respondent
No.1 – State
Mr.J.Bardeskar, Advocate, for the Respondent
No.2

CORAM : REVATI MOHITE DERE, J.

DATE : 06.12.2016

P.C.

. Learned counsel for the parties had
tendered Consent Terms in this Court on
02.08.2016. Learned counsel for the Applicants
states that the Applicants have made the entire
payment as mentioned in the Consent Terms by way
of Demand Drafts to the Respondent No.2.

2. Respondent No.2 is present in Court. He does not dispute the said fact. He states that he has received the Demand Drafts for the amounts mentioned in para 11 of the Consent Terms. Learned counsel for the Respondent No.2 states that the Respondent No.2 has no objection, if the Revision Application is allowed and if the impugned Judgment and Order dated 11.07.2014 passed by the learned Metropolitan Magistrate, 70th Court, Mazgaon at Sewree, Mumbai in C.C.No.7000245/SS/14, convicting the Applicants for the offence punishable under Section 138 r/w. 141 of the N.I.Act and the Judgment and Order dated 30.04.2016 passed by the learned Spl. Judge, City Civil & Sessions Court, Mumbai in Cri. Appeal No.713 of 2014 confirming the said conviction are quashed & set aside and the Applicants are acquitted of the offence with which they are charged.

3. Accordingly, the Revn. Application is

allowed & disposed of. The impugned Judgment and Order dated 11.07.2014 passed by the learned Metropolitan Magistrate, 70th Court, Mazgaon at Sewree, Mumbai in C.C.No.7000245/SS/14 convicting the Applicants for the offence punishable under Section 138 r/w. 141 of the Negotiable Instruments Act and the impugned Judgment and Order dated 30.04.2016 passed by the learned Spl. Judge, City Civil & Sessions Court, Mumbai in Cri. Appeal No.713 of 2014, confirming the said conviction are quashed & set aside and the Applicants are acquitted of the offence.

4. In view of disposal of the Revn. Application, Cri. Application No.346 of 2016 does not survive and the same stands disposed of accordingly.

Parties to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)