

Urmila Ingale

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL REVISION APPLICATION NO. 627 OF 2016
WITH
CRIMINAL APPLICATION NO. 630 OF 2016

Shyamji Damji Patel .. Applicant
Vs.
State of Maharashtra and anr. .. Respondents

Mr.Bipin Joshi, for the Applicant.
Ms.Prajakta Shinde, APP for State.
Mrs. Naina Desai i/b Mr.Nimish Desai, for Respondent No.2.

CORAM : M.S.KARNIK, J.
DATE : 11th NOVEMBER, 2016
VACATION COURT

P.C. :

. Heard learned Counsel for the parties.

2. Today, by application dated 11/11/2016, learned Counsel for the parties submitted that they may be allowed to compound offences under Section 138 read with Section 143 of the Negotiable Instruments Act on the terms and conditions which have been mentioned in the said application dated 11/11/2016 which is taken on record and marked as Exhibit 'X' for identification. The same has been duly signed by the

Counsel for the parties and parties also. Learned Counsel for the parties state that petitioner and respondent No.2 – Complainant are personally present before the Court. The challenge in this Revision is to an order dated 17/10/2016 passed by the Additional Sessions Judge, City Civil & Sessions Court, Greater Mumbai thereby dismissing the Appeal and the Revision filed by the parties.

3. In this view of the matter, offence under Section 138 read with Section 143 of the Negotiable Instruments Act is allowed to be compounded on the terms and conditions which have been set out in paragraph 2 of the application dated 11/11/2016 which is at Exhibit 'X' hereto.

4. The present Criminal Revision Application is allowed in terms of paragraph 3 of the Application dated 11/11/2016.

5. Criminal Revision Application is disposed of accordingly. All consequential applications filed in the Revision Application no longer survive in view of disposal of the Revision

and accordingly, disposed of.

6. Needless to mention that as regards the amount of Rs. 10,00,000/- which has been deposited in the trial Court is allowed to be withdrawn by the Complainant.

7. Parties to act upon authenticated copy of this order.

(M.S.KARNIK, J.)