

*Ladda*FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL REVISION APPLICATION NO. 456 OF 2014

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr K.S. Patil for the applicant.

Mr Deepak Thakare, APP for the Respondent-State.

Mr S.V. Marwadi, i/by K.S.Garg for the Respondent No.2.

CORAM : A.S.GADKARI, J.

DATE : 4th April, 2016

P.C.

1. The applicant is convicted under section 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for six months by the Judgment and Order dated 7.5.2009 passed by the Judicial Magistrate, First Class, Court No.2, Palghar in Summary Criminal Case No. 746/2002. The applicant has been further directed to pay compensation of Rs.1,50,000/- to the complainant and in default of payment of compensation to further undergo simple imprisonment for three months.
2. Criminal Appeal No. 9 of 2009 preferred by the applicant has been dismissed by the Additional Sessions Judge, Palghar by its Judgment and Order dated 22.12.2014.
3. The learned counsel appearing for the applicant and the respondent no.2 jointly submitted that the parties herein have entered into Consent Terms and have settled the matter out of the Court. The learned counsel appearing for the original complainant

submitted that in view of the statement made in the Consent Terms, his client has received the said amount and as of today he has no grievance against the applicant. He submitted that in view of the settlement between the parties, by compounding Summary Criminal Case No. 746 of 2002 filed before the Judicial Magistrate, First Class, Court No.2, Palghar, the applicant may be acquitted from all the charges levelled against him.

4. The learned counsel appearing for the respective parties and the respondent no.2 are present in the Court. Consent Terms dated 4.4.2016 are taken on record and marked 'X' for identification. In view of the Consent Terms, the applicant and the respondent no.1 are permitted to compound the said offence and the Summary Criminal Case No. 746/2002 filed before the Judicial Magistrate, First Class, Court No.2, Palghar is quashed and the applicant is acquitted from all charges levelled against him.

5. The Revision application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)