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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINL APPELLATE JURISDICTION
CRIMINAL REVISION APPLICATION NO.613 OF 2015
WITH
CRIMINAL APPLICATION NO.528 OF 2015
IN
CRIMINAL REVISION APPLICATION NO.613 OF 2015

Vijayaben Ashok Lalka ... Applicant.

V/s.

Mr. Uttam Hemraj Lodaya and anr ... Respondents.

Mr. Vijay Kumar Aggarwal, for the applicant.

Mrs. R.V. Newton, APP for State

Mr. Sunil D'Souza, for respondent No.1.

CORAM : DR. SHALINI PHANSALKAR-JOSHI, J.

DATE : 11th JANUARY, 2016.

P.C.:

1. This revision is preferred by original accused No.3 challenging concurrent finding of conviction under Section 138 of the Negotiable Instruments Act. Today the applicant-original accused No.3 and respondent No.1-original complainant, are present before the Court. They have filed consent terms arrived at between them which are taken on record and marked "X" for identification. The contents of consent terms are read over to them and they admit to be true and correct. Their

counsel have verified the same.

2. In view thereof, revision application is allowed. The applicant-original accused No.3 is acquitted for the offence punishable under Section 138 of the Negotiable Instruments Act.

3. The respondent No.1 Uttam Hemraj Lodaya, the original complainant is permitted to withdraw an amount of Rs.35,830/- which is deposited in the Court of Metropolitan, Magistrate, Esplanade, Mumbai.

4. In view of above, Criminal Application No.528 of 2015 does not survive and the same is disposed of accordingly.

[DR. SHALINI PHANSALKAR-JOSHI, J.]

CERTIFICATE

Certified to be true and correct copy of the original signed order.