

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL REVISION APPLICATION NO. 41 OF 2014

VIRENDRA KUMAR KASHYAP ... Petitioner

Versus

RAJU B. CHAUHAN ... Respondent

Mr. Raunaq Rao, Advocate for the petitioner.
Mr. R. J. Pinto, Advocate for the respondent.

Coram:- PRITHVIRAJ K. CHAVAN, J.

Date:- 11th September 2017

P.C.

Heard Mr. Raunaq Rao, learned Advocate for the petitioner and Mr. R. J. Pinto, learned Advocate for the respondent.

2. By a joint pursis which is taken on record and marked "X" for identification, it is informed to this Court that the petitioner and the respondent have amicably settled the dispute in view of recitals of the said pursis. The cheque amount of Rs.75,000/-has been deposited by the appellant in the office of District and Sessions Court, North Goa Panaji which was invested with Andra Bank bearing account No.64020100063149, fixed deposit receipt no.082177 which was matured on 19.8.2017 and maturity amount is Rs.97,954/-.

3. In view of amicable settlement arrived at between the parties,

the impugned judgment and order of conviction passed by the CJM, Panaji in Criminal case No.1030/OA/2008/A dated 2.3.2013 and confirmed by Addl. Sessions Judge (FTC) Panaji by judgment and order dated 31.7.2014 in Criminal Appeal No.13/2014 are hereby quashed and set aside. The applicant is acquitted of the offence punishable under Section 138 of the Negotiable Instruments Act. His bail bonds stands cancelled. As per the Hon'ble Supreme Court's judgment passed in Damodar Prabhu Vs. Sayed Babalal H.,(2010)5 SCC 663 after deducting 15% of the cheque amount the remainder be paid to the respondent by account payee cheque after due verification. Office of District Court shall deposit the 15% of the cheque amount in favour of Goa State Legal Services Authority.

4. Criminal Revision Application stands disposed of in the above terms.

PRITHVIRAJ K. CHAVAN, J.