

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL REVISION APPLICATION NO.142 OF 2016
(Dr. Mukund s/o Narayan Dubey vs. Gopal s/o Raghunath Sarda)

Office Notes, Office Memoranda of
Coram, appearances, Court's orders Court's or Judge's orders
or directions and Registrar's orders.

Shri Lubesh Meshram, Advocate for applicant.
Shri D.N. Dani, Advocate for respondent.

CORAM : P.N. DESHMUKH, J.

DATED : APRIL 19, 2017

Heard Shri Meshram, learned Counsel for applicant/original accused and Shri Dani, learned Counsel for respondent/original complainant.

The learned Counsel for parties have filed compromise terms, which are taken on record and marked "X" for identification.

Perused the compromise terms, which are duly signed by learned Counsel for the parties as well as respective parties.

This revision takes exception to the judgment dated 26/8/2016 passed by learned Additional Sessions Judge, Nagpur in Criminal Appeal No.245/2011 dismissing the same and thus, confirming judgment of the learned trial Court whereby applicant came to be convicted under Section 138 of the Negotiable Instruments Act, 1981 and sentenced to suffer simple imprisonment for one month and to pay compensation of Rs.1,40,000/-.

During the pendency of this revision, compromise terms are placed on record as the issue is amicably settled between the parties and applicant has deposited amount of compensation of Rs.1,40,000/- with the Registry of this Court while amount of Rs.10,000/- towards litigation expenses is admittedly paid to complainant.

Considering the fact that matter is settled between the parties as aforesaid, revision is liable to be allowed. In the circumstances, following order is passed :

The impugned judgment and order dated 26/8/2016 passed by learned Additional Sessions Judge, Nagpur in Criminal Appeal No.245/2011 confirming judgment and order dated 26/9/2011 passed by learned trial Court in Summary Criminal Case No.14609/2008 is quashed and set aside.

Surety bond of applicant stands cancelled.

Respondent will be at liberty to withdraw the aforesaid amount.

The criminal revision application is disposed of in the above terms with no order as to costs.

JUDGE

khj