

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL REVISION APPLICATION NO. 43 OF 2018

AMOL ANAND KANEKAR., ... Applicant

Versus

SHEKHAR S. KAREKAR., ... Respondent

Adv. Shirin V. Naik for the Applicant.

Adv. A. Fernandes holding for Adv. A.D. Bhobe for Respondent.

Coram:- C. V. BHADANG, J.

Date:- 4th September 2018

Oral Order:

The parties have filed a joint application for compounding which is taken on record and marked "X" for identification. The application is signed by the respondent no.1/complainant and his counsel as well as the learned counsel for the applicant.

2. The applicant was convicted for the offence punishable under section 138 of the N.I. Act and has been sentenced to suffer simple imprisonment for one month and to pay compensation of Rs.2,70,000/- and in default to undergo simple imprisonment of six months. The said judgment of conviction and sentence has been confirmed by the learned Sessions Judge in appeal. Hence this revision application. Indisputably, the petitioner has deposited Rs.2,50,000/- (Rupees Two lakhs fifty thousand only)

before this Court on 6/6/2018 and an amount of Rs.20,000/- (Rupees twenty thousand only) was paid by the applicant to the respondent no.1 in cash, which is not disputed.

3. Considering the fact that the parties have amicably settled the dispute, the parties are permitted to compound the offence. Accordingly the criminal revision application is allowed. The conviction and sentence awarded to the applicant is hereby set aside. The applicant is acquitted of the offence punishable under section 138 of the N.I. The amount lying before this Court along with interest, if any, shall be paid to the respondent no.1. The Criminal Revision application is disposed off in the aforesaid terms.

C. V. BHADANG, J.

ap/-